



## **Agenda**

### **Volusia County Affordable Housing Advisory Committee Public Hearing**

**Wednesday, September 13, 2023 at 5:00 p.m.**

**The Frank T. Bruno, Jr. County Council Chambers, Room 204**

**Thomas C. Kelly Administration Center**

**123 W Indiana Ave, Deland, FL**

#### **Board Members**

Waylan Niece, Chair  
Anne Evans, Vice-Chair  
D.J. Lebo, Secretary  
Mark Billings  
Jake Johansson  
Sue Odena  
Sarah Ulrich  
Dwight Selby  
Josephine Callis

#### **Staff**

Carmen Hall, Community Assistance Director  
Corry Brown, Operations Manager  
Maureen Sikora, Assistant County Attorney  
Brittany Louis, Housing and Grants  
Administration Manager  
Camila Vega, Special Projects Coordinator

#### **Call to Order**

#### **Roll Call**

#### **Public Participation**

Public participation is encouraged on matters on the agenda. If you desire to be recognized by the chair, please fill out a request form. Public comment on issues on the agenda or public participation shall be limited to three minutes.

#### **Item 1 – Previous Meeting Minutes**

The AHAC will review and discuss the draft minutes for June 27, 2023.

#### **Item 2 – AHAC Letter of Support**

The AHAC will review a letter of support drafted by staff for approval for the second hearing of the Large-Scale Comprehensive Plan Amendment – Comprehensive Plan Affordable Housing Policies.

#### **Item 3 – 2023 Affordable Housing Incentive Strategies Report**

The AHAC will hold a public hearing to discuss the recommendations described in the 2023 Affordable Housing Incentive Strategies Report.

#### **Item 4 – Meeting Schedule**

The AHAC will discuss and make recommendations on a proposed meeting schedule for the upcoming year.

#### **Item 5 – Joint AHAC Meeting Update**

The AHAC will discuss and make recommendations on a proposed agenda for the joint AHAC meeting with Volusia County, Deltona and Daytona Beach AHACs.

#### **Discussion by board members of matters not on the agenda**

#### **Items for staff discussion**

#### **Adjournment**

### ***NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT (TITLE II)***

*In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990 ("ADA"), the County of Volusia ("County") will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities. Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a program, service, or activity of County, should contact the office of the County's ADA Title II Coordinator, Jim Corbett, at (386) 248-1760 as soon as possible but no later than 2 business days before the scheduled event or meeting. This paragraph shall likewise apply to written requests by a physically handicapped person needing a special accommodation to attend a public meeting in accordance with section 286.26, Florida Statutes.*

*A copy of the County's Notice under the Americans with Disabilities Act (Title II) can be obtained at <http://www.volusia.org/ada> or requested from the County's ADA Title II Coordinator at the telephone number listed above.*

### ***NOTICE UNDER SECTION 286.0105, FLORIDA STATUTES***

*If a person decides to appeal a decision made by the Affordable Housing Advisory Committee with respect to any matter considered at such meeting or hearing, he/she will need a record of the proceedings including all testimony and evidence upon which the appeal is to be based. To that end, such person will want to ensure that a verbatim record of the proceedings is made.*



## **Minutes**

### **Volusia County Affordable Housing Advisory Committee Tuesday, June 27, 2023 at 3:00 p.m. Emergency Operations Center 3825 Tiger Bay Road, Daytona Beach**

#### **BOARD MEMBERS**

Waylan Niece, Chair  
Anne Evans, Vice-Chair  
D.J. Lebo, Secretary  
Mark Billings  
Jake Johansson  
Sue Odena  
Sarah Ulrich  
Dwight Selby  
Josephine Callis

#### **STAFF**

Carmen Hall, Community Assistance Director  
Corry Brown, Operations Manager  
Maureen Sikora, Assistant County Attorney  
Brittany Louis, Housing & Grants  
Administration Manager

#### **CALL TO ORDER**

Waylan Niece, Chair, called the meeting to order at 3:02 p.m.

#### **ROLL CALL**

Brittany Louis, Housing & Grants Administration Manager, called the roll. D.J. Lebo and Sarah Ulrich were absent. At the time of the roll call, Sue Odena was not present but arrived later at 3:08 p.m. All other members were present and there was a physical quorum.

#### **PUBLIC PARTICIPATION**

There was no public participation during the AHAC meeting.

#### **APPROVAL OF APRIL 12, 2023 MINUTES**

Mark Billings made a **MOTION** to approve the minutes of the April 12, 2023 meeting. Jake Johansson seconded the motion. The motion carried unanimously 5-0.

#### **NEW BUSINESS**

##### **AHAC Report – Affordable Housing Incentive Strategies**

Corry Brown, Operations Manager, gave an overview of what the committee discussed at the prior meeting. Ms. Brown reminded the committee that they decided to review the

affordable housing incentive strategies and send staff comments or suggestions to compile for discussion.

Anne Evans, Vice-Chair, made a **MOTION** to keep all of the strategies and recommendations that had to do with comprehensive plan changes to the housing element, which included strategies A, I, B, F, C, and G. Mark Billings seconded the motion.

Discussion ensued among the members regarding which recommendations had been implemented since the report was completed the previous year. Corry Brown explained that several recommendations were drafted as comprehensive plan changes but had not been adopted by the county council for implementation. Stephen Shams, Planning & Development explained that the draft changes to the comprehensive plan had been approved by the Planning and Land Development Regulation Commission (PLDRC) and were going before the Volusia County Council for approval in August.

Members further discussed the strategies and recommendations that were previously adopted and included in the current Local Housing Assistance Plan (LHAP). Corry Brown clarified which strategies and recommendations were implemented previously and informed AHAC that they could recommend continued adoption of the recommendations already implemented.

Anne Evans made a **MOTION** to keep the strategies and recommendations made the previous year for the 2023 Affordable Housing Incentive Strategies with the exception of strategies D and H which had no recommendations from the AHAC. Dwight Selby seconded the motion. The motion carried unanimously 6-0.

Waylan asked staff to present more information on strategies D and H which did not have recommendations from the AHAC the previous year.

Corry Brown gave an overview of strategy D, explaining that the strategy's purpose is to reserve infrastructure capacity for affordable housing. Committee members discussed potential infrastructure that the strategy would apply to, including water, sewer, and road capacity. Ultimately, the committee decided that they didn't want to recommend strategy D as a part of their report.

Stephen Shams provided additional information on strategy H, which included specific street requirements for affordable housing. He explained that there are several state regulations that the county follows regarding street requirements and that it is unclear how the county would be able to implement modifications to street requirements. The committee had no further discussion and did not decide to recommend the strategy.

Anne Evans explained to the committee that she drafted potential language for an additional strategy L about supporting education, communication, and collaboration amongst stakeholders as discussed at the previous AHAC meeting.

Waylan Niece asked for further clarification regarding the recommendation to publish educational opportunities regarding affordable housing. Jake Johansson discussed that



many people in Volusia County are not aware of the educational opportunities related to affordable housing and encouraged staff to explore different ways to make information more accessible to the public. Mr. Niece suggested utilizing social media to get more information out to the public.

The committee discussed possibilities for an affordable housing summit including what would be discussed, who would be involved, and a joint meeting with the Daytona Beach and Deltona AHACs to plan the summit. The consensus of the committee was to create a task force to plan the joint AHAC meeting and eventually a summit.

Anne Evans made a **MOTION** to submit strategy L as drafted with the recommendations to create a task force to plan for a joint meeting and conduct an affordable housing summit to further educate and collaborate with stakeholders. Mark Billings seconded the motion.

Corry Brown explained to the committee that they could make the recommendations drafted by Ms. Evans without adding an additional incentive strategy to the report. Ms. Brown confirmed that while the drafted strategy would likely incentivize affordable housing, the report historically discussed strategies to incentivize developers to create affordable housing.

Anne Evans rescinded her motion with the consensus of the committee members to direct staff to begin implementing the strategy without adding it to the affordable housing incentive strategy report.

Jake Johansson made a **MOTION** to direct staff to begin organizing a joint meeting with the Daytona Beach and Deltona Affordable Housing Advisory Committees. Dwight Selby seconded the motion. The motion carried unanimously 6-0.

#### Affordable Housing Plan Annual Review

Corry Brown gave an overview of the strategies identified in the five-year affordable housing plan and provided updates on the status of each year 1 action step.

Stephen Shams reviewed the strategies that included making changes to the housing element of the comprehensive plan and reminded AHAC that those changes would be going to the County Council in August for approval to begin implementation.

Anne Evans made a **MOTION** to direct staff to submit a letter of support for the agenda item related to the comprehensive plan changes. Sue Odena seconded the motion.

Concerns were expressed amongst the committee because not all of the members reviewed the changes that were originally drafted as a part of the five-year affordable housing plan because they were not members of AHAC at the time.

A suggestion was made to host a special meeting prior to the County Council meeting to give members time to review the changes and staff to draft a letter of support for approval. Anne Evans rescinded her motion.

The AHAC agreed to a tentative date of August 2, 2023, and asked staff to schedule the special meeting and draft a letter of support to be reviewed.

#### FY 2023/24 Annual Action Plan

Brittany Louis gave a presentation on the Annual Action Plan's purpose, process, and the public comment period. The committee members asked to receive a copy of the draft once the public comment period opens so they may review and potentially provide comments.

#### **DISCUSSION BY BOARD MEMBERS OF MATTERS NOT ON THE AGENDA**

There were no discussion items of matters not on the agenda.

#### **ITEMS FOR STAFF DISCUSSION**

There were no additional items for staff discussion.

#### **ADJOURNMENT**

The meeting was adjourned at 4:23 p.m.



**GROWTH AND RESOURCE MANAGEMENT DEPARTMENT  
PLANNING AND DEVELOPMENT SERVICES DIVISION**  
123 West Indiana Avenue, Room 202, DeLand, Florida 32720  
(386) 736-5959

**PUBLIC HEARING:** June 15, 2023 – Planning and Land Development Regulation Commission (PLDRC)

**CASE NUMBER:** CPA-23-006

**SUBJECT:** Large-Scale Comprehensive Plan Amendment – Comprehensive Plan Affordable Housing Policies (Chapter 1, Chapter 5, Chapter 20)

**APPLICANT:** Growth and Resource Management Department  
Planning and Development Services Division

**STAFF:** Patricia Smith, AICP  
Planning Manager

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## **I. SUMMARY OF REQUEST**

This report addresses Comprehensive Plan revisions recommended by the Land Development Regulation Affinity Group and county staff to assist developers in expediting and incentivizing affordable housing projects. If approved by the County Council, the Comprehensive Plan will be revised to provide incentives, waivers, and fee reductions for affordable housing projects. It will also provide a roadmap for expedited permitting through an established affordable housing review team.

### **Staff Recommendation:**

Find the amendment consistent with the Comprehensive Plan and forward the application, case number CPA-23-006, to County Council with a recommendation of approval to transmit to the Department of Economic Opportunity for expedited review and to the Volusia Growth Management Commission (VGMC) for certification.

## II. OVERVIEW

At its hearing on July 19, 2022, the Volusia County Council approved a five-year affordable housing plan entitled, *“Affordable Housing Initiative - The Path Forward – Strategies for Success, Five Year Plan, 2022-2027.”* The plan was the culmination of a three-year effort to understand and educate about the need for affordable housing in Volusia County. The project included a series of webinars, workshops, a summit at the Ocean Center, and the appointment of three committees, called “Affinity Groups,” to find funding solutions, craft guidelines for a community land trust, and draft revisions to the Comprehensive Plan and the Zoning Ordinance.

The Land Development Regulation (LDR) Affinity Group was charged with reviewing processes that govern growth to identify impediments to housing affordability. The 11-member committee met three times in the first quarter of 2022. The group was comprised of realtors, attorneys, affordable housing developers, faith groups, affordable housing advocates, economic development consultants, and the county’s Affordable Housing Advisory Committee (AHAC) members. The team focused on three regulatory issues; 1) less process and less time for permitting; 2) reduced fees and costs; and 3) integration of staff resources and flexibility.

Recommended updates to the Comprehensive Plan are identified in proposed Ordinance 2023-23. Additions are represented with a double underline, and items to be removed are shown as a strike-through. LDR recommendations underwent review by the county’s Growth and Resource Management Department, Community Services Department, and the county’s legal team. The staff analysis is provided as a spreadsheet with notes identifying the LDR recommendations and the county’s comments. For background information on the affordable housing initiative, an executive summary of the five-year plan is appended to this report, and Appendix E3 of the affordable housing report is also attached to this agenda item to provide a record of the LDR Affinity Group process.

Revisions are proposed for three elements of the Comprehensive Plan. For the Future Land Use Element, (Chapter 1) Policies 1.1.3.11 and 1.3.3.3 will address impact fee waivers and density bonuses. The proposed changes to the Housing Element (Chapter 5) include tweaks to existing policies. Policy 5.1.1.12, Policy 5.1.6.1, and Policy 5.1.6.6 address expedited reviews. Policy 5.1.1.9 will require an Environmental Impact Analysis and the minimization of wetland and buffer impacts. Policy 5.1.1.13 recognizes the county’s Accessory Dwelling Unit (ADU) Ordinance No. 23-011. Policy 5.1.2.2 addresses fee waivers, density bonuses, and the use of county-owned land for affordable housing projects. Policy 5.1.2.4. addresses the promotion of the county’s affordable housing initiative through various media platforms.

New policies are also being proposed in the Housing Element. Policy 5.1.1.18 was added to be compliant with new statutory requirements. Policy 5.1.6.7 delegates administrative adjustments and variance approvals to the Development Review Committee for affordable housing projects. Policy 5.1.1.20 introduces a restrictive covenant for the waiver of impact fees for ADUs. Policy 5.1.2.9 authorizes an affordable housing overlay

to help prioritize funding. Policy 5.1.2.10 reinforces the county's commitment to affordable housing. Policy 5.1.6.9 delegates the authority to approve development on nonconforming parcels for affordable housing units to the Planning and Development Services Director. Finally, the definition of Affordable Housing in Chapter 20 of the Comprehensive Plan will be updated to be consistent with Section 420.0004, Florida Statutes.

If the Planning and Land Development Regulation Commission and the Volusia County Council recommend approval of the affordable housing policies, the next step in the process will be for the Planning and Development Services Division to draft an Affordable Housing Ordinance for zoning changes and an Affordable Housing Zoning Overlay. These are anticipated to be completed by the end of calendar year 2023.

On March 29, 2023, Governor DeSantis signed SB 102, the Live Local Act. The Live Local Act pre-empts local government authority for affordable housing developments meeting certain criteria in commercial, industrial, and mixed-use zoned areas. The proposed amendments in this Comprehensive Plan do not incorporate the preemption in the Live Local Act. They are independent incentives that are consistent with state law and that a local government may implement to further encourage affordable housing.

### **III. STAFF RECOMMENDATION**

Find the amendment consistent with the Comprehensive Plan and forward the application, case number CPA 21-006, to County Council with a recommendation of approval to transmit to the Department of Economic Opportunity for review and to the Volusia Growth Management Commission (VGMC) for certification.

### **IV. ATTACHMENTS**

- Ordinance 2023-23
- Staff Analysis of LDR Recommendations
- Affordable Housing Plan Handout
- Appendix E3 – Land Development Regulation Affinity Group Recommendations

**ORDINANCE 2023-23**

AN ORDINANCE OF THE COUNTY COUNCIL OF VOLUSIA COUNTY, FLORIDA, AMENDING THE VOLUSIA COUNTY COMPREHENSIVE PLAN ADOPTED BY ORDINANCE 90-10, AS PREVIOUSLY AMENDED; AMENDING THE FUTURE LAND USE ELEMENT, CHAPTER 1 OF THE COMPREHENSIVE PLAN; PROVIDING FOR AFFORDABLE HOUSING WAIVERS; AMENDING THE HOUSING ELEMENT, CHAPTER 5 OF THE COMPREHENSIVE PLAN; PROVIDING POLICIES TO INCLUDE PROVISIONS FOR AFFORDABLE HOUSING PROJECT APPROVAL; WAIVING PROCEDURAL COSTS ASSOCIATED WITH AFFORDABLE HOUSING PROJECTS; CREATING AN AFFORDABLE HOUSING REVIEW TEAM; AMENDING DEFINITIONS, CHAPTER 20 OF THE COMPREHENSIVE PLAN FOR THE TERM "AFFORDABLE HOUSING"; AUTHORIZING INCLUSION IN THE VOLUSIA COUNTY COMPREHENSIVE PLAN; BY PROVIDING FOR SEVERABILITY; AND BY PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Volusia County Council recognizes the need for Affordable Housing in Volusia County; and

WHEREAS, there are impediments to effectively implementing Affordable Housing solutions in the County's Comprehensive Plan; and

WHEREAS, the Volusia County Council adopted the "*Affordable Housing Initiative – The Path Forward – Strategies for Success*" on July 19, 2022; and

WHEREAS, the Land Development Regulation Affinity Group was appointed to identify impediments to housing affordability caused by the existing Comprehensive Plan, Zoning, and Land Development Regulations; and

WHEREAS, Section 125.01055(1), Florida Statutes, provides authority to county governments to adopt and maintain any law, ordinance, rule, or other measure to increase the supply of affordable housing using land use mechanisms such as inclusionary zoning or linkage fee ordinances; and

WHEREAS, Section 125.01055(6), Florida Statutes, provides authority to the Volusia County Council to approve affordable housing on any parcel zoned for residential, commercial, or industrial use; and

WHEREAS, Section 163.3184, Florida Statutes, provides for amendments to the adopted Comprehensive Plan by the local government; and

WHEREAS, the council desires to take advantage of this statute and amend the Volusia County Comprehensive Plan.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNTY COUNCIL OF VOLUSIA COUNTY, FLORIDA, AS FOLLOWS:

(Words in ~~strike-through~~ are deletions; words in double underscore type are additions)

**SECTION I: AMENDMENT** – Chapter 1, Future Land Use Element of the Volusia County Comprehensive Plan is amended as follows:

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Policy 1.1.3.10 - In order to protect Volusia County's valuable natural resources, new development shall be encouraged toward infilling existing urbanized areas.

Policy 1.1.3.11 - New developments inside designated urban areas on the Future Land Use Map will be considered urban infill under the following circumstances: within existing platted subdivisions, amongst existing development, and where utilities are currently available. ~~Projects that meet the above criteria may be eligible for a 20% reduction in road and recreation impact fees. Nonresidential projects may be eligible for a 25% reduction in required parking.~~ Affordable housing projects may be eligible for a deferral of impact fees based on the furtherance of the Path Forward Plan.

Policy 1.1.3.12 - Exemptions to minimum densities may be granted to in-fill residential developments in order to facilitate the development of vacant lands within urban future land use designations. The exemption shall be based on criteria that ensures compatibility with the surrounding area, accessibility to existing public right of ways, provision of utilities and site-specific conditions that limit the ability to develop the property at the minimum density.

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Policy 1.3.3.2 - The Future Land Use Element shall allow for various types, sizes and costs of dwelling units in any designation that allows residential uses.

Policy 1.3.3.3 - To foster the creation of housing for very low, low and moderate income groups, a density bonus will be permitted for projects that are certified by Community Services as a certified affordable housing project. Increased densities are not applicable to wetlands or areas determined to be vulnerable to sea level rise as outlined in Policy 12.1.2.9 of the Conservation Element. ~~and are processed through the Planned Unit Development process.~~ Below are the increased densities for the following designations when such housing is to be constructed:

- Low Impact Urban (increase up to 5 du's/ac)
- Urban Low Intensity (increase up to 8 du's/ac)
- Urban Medium Intensity (increase up to 14 du's/ac)
- Urban High Intensity (cannot exceed 20 du's/ac)

Density bonuses may be transferred among the above four designations when located in a unified development.

Policy 1.3.3.4 - Review the inventory of County-owned land that is appropriate for affordable housing. These sites should be made available for such purpose.

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**SECTION II: AMENDMENT** – Chapter 5, Housing Element of the Volusia County Comprehensive Plan is amended follows:

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Policy 5.1.1.7 – The Housing Element shall be compatible and consistent with the Future Land Use Element and discourage residential development that results in urban sprawl.

Policy 5.1.1.8 – The Volusia County Zoning Ordinance shall allow a diversity of lot sizes, floor areas, setbacks and other design features that allow for flexibility and choices in housing types and prices.

Policy 5.1.1.9 – Volusia County shall not issue development orders for urban residential development on properties in the Natural Resource Management Area Overlay unless it is a certified affordable housing project that is designed in such a way as to avoid and minimize impacts to the wetlands and the wetland buffers. Development activities shall only be allowed on those portions of the property that are deemed by the county's environmental permitting staff through an evaluation of site-specific conditions to be suitable for development. An Environmental Impact Assessment will be required.

Policy 5.1.1.10 - Volusia County shall continue to adopt and utilize community design standards that promote sustainability and enhance community identity.

Policy 5.1.1.11 - Volusia County shall continue to conduct studies to determine if an incentive-based impact fee program (decrease in fees for projects that further community values and sustainability objectives) benefits housing goals and objectives outlined in this element.

Policy 5.1.1.12 - Continue to implement ~~the an~~ expedited preapplication meeting, development review, and building permit process, which is offered to developers and contractors ~~all building contractors~~ for new construction and rehabilitation of county-verified affordable housing units in Volusia County.

Policy 5.1.1.13 - The following principles and criteria shall be used to provide guidance in the location of housing:

- The County shall seek to minimize the effect of gentrification and economic displacement of existing residents for any redevelopment or neighborhood revitalization project in which it directly participates.



- 1 • The County shall continue to maintain specific zoning categories in the Volusia  
2 County Zoning Ordinance that allow for the construction of mobile home parks and  
3 subdivisions.
- 4 • The County shall continue to allow the construction of state-certified manufactured  
5 homes in residential zoning categories, as long as building code requirements,  
6 minimum zoning standards, and state requirements are met.
- 7 • In an effort to maintain affordable housing opportunities, the County shall: a) continue  
8 to allow, ~~as a special exception~~, the construction of accessory dwelling units in  
9 ~~residential~~ zoning categories outlined in Section 72-277 of the Zoning Code b)  
10 continue to allow a minimum floor area of 750 square feet in a majority of residential  
11 zoning categories.
- 12 • The County shall continue to allow, as a special exception, the construction of  
13 farmworker living facilities on agricultural properties that are five acres and larger in  
14 size.

15  
16 Policy 5.1.1.14 – The County, through its five-year capital improvements planning process,  
17 shall continue to identify the public facility needs of unincorporated Volusia County,  
18 including all areas with concentrations of very low, low and moderate income households.

19  
20 \*\*\*\*\*

21 Policy 5.1.1.17 - Volusia County will continue to maintain an Affordable Housing Advisory  
22 Committee whose state-mandated mission is to review affordable housing incentives. In  
23 an effort to further address and evaluate the availability and the provision of affordable  
24 options, the role will be expanded beyond the state statute, as approved by the county  
25 council.

26  
27 Policy 5.1.1.18 – The Volusia County Council may approve the development of affordable  
28 housing on any parcel designated or zoned for commercial or industrial if any of the  
29 following apply:

- 30  
31 • The development receives funding from the Florida Housing Finance Corporation,  
32 the State Housing Initiatives Partnership program or other federal, state, or local  
33 affordable housing funding source; or
- 34 • With a resolution of support from the Volusia County Council; or
- 35 • If the development agrees to a land use restriction agreement that reserves thirty  
36 (30) percent or more of the dwelling units for affordable housing for households with  
37 a gross income at or below 120 percent of the median income adjusted for family  
38 size for a period of 50 years or more.
- 39 • New development consisting of one principal structure with an accessory dwelling  
40 unit would be subject to a 20-year affordability agreement on the accessory dwelling  
41 unit.

42  
43 Policy 5.1.1.19 – To assist in providing affordable units for students, multi-generational  
44 families, retirees, special needs individuals, and others in need of affordable housing  
45 options, impact fees may be waived for accessory dwelling units if all impact fees have

1 been paid for the principal dwelling unit and if the applicant records a restrictive covenant  
 2 on the accessory dwelling unit that limits the rental cost to households with a gross income  
 3 at or below 120 percent of the median income adjusted for family size for a period of 20  
 4 years or more. The accessory unit remains accessory to the principal unit and may not be  
 5 sold separately. Impact fees are due and payable to the county upon the expiration of the  
 6 covenant, unless both parties agree to extend the land use restriction. This provision does  
 7 not apply to public lodging establishments, as defined in s. 509.013(4)(a)(1), such as short  
 8 term or vacation rentals.

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 11  
 12 Policy 5.1.2.1 - Volusia County shall ensure that housing assistance is available to all  
 13 qualified residents regardless of age, race, disability, gender, or family size, in accordance  
 14 with Title VIII of the Civil Rights Act of 1968, as amended and the Florida Fair Housing Act  
 15 Chapter 760 Florida Statutes. The implementation of this policy shall include adoption and  
 16 enforcement of a Fair Housing Ordinance by the County of Volusia.

17  
 18 Policy 5.1.2.2 - Volusia County shall continue to develop and implement incentive  
 19 programs including waivers to permit fees, inspection fees, and application fees, density  
 20 bonuses, as well as donations of county-owned land to encourage the private sector to  
 21 participate in the provision of affordable and workforce housing.

22  
 23 Policy 5.1.2.3 - Pending funding availability, the County shall make available housing  
 24 programs that provide financial assistance specifically for those families earning less than  
 25 the median income for Volusia County.

26  
 27 Policy 5.1.2.4 - Volusia County shall actively promote and distribute information regarding  
 28 the availability of housing assistance programs and proposed affordable housing projects  
 29 to the public through various media platforms.

30  
 31 Policy 5.1.2.5 - Volusia County shall continue to expend federal and other state/local  
 32 housing program funds to provide financial assistance to very low, low, and moderate  
 33 income residents.

34 \*\*\*\*\*

35  
 36 Policy 5.1.2.8 - The Consolidated Plan and Local Housing Assistance Plan shall function  
 37 as the guides for housing programs to benefit families of very low, low and moderate  
 38 income. This document shall be prepared and submitted by the Community Assistance  
 39 Division of Volusia County consistent with established deadlines.

40  
 41 Policy 5.1.2.9 – The county shall create a countywide affordable housing zoning overlay to  
 42 assist in the prioritization of available county, state, and federal funding for new affordable  
 43 housing projects.

44  
 45 Policy 5.1.2.10 – Volusia County is committed to providing the professional staffing,  
 46 infrastructure and technology required to support affordable housing initiatives.

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Policy 5.1.6.1 – Volusia County ~~shall establish a regular review process~~ has conducted a review of the land development code and the zoning ordinance to evaluate potential impacts on affordable housing goals and has determined that administrative approval by the Development Review Committee (DRC) for affordable housing projects would greatly reduce and revise or remove deterrents to affordability in the housing stock, if necessary.

Policy 5.1.6.2 – Volusia County shall continue to use a density bonus program that encourages the private sector to provide affordable and workforce housing for very low, low, and moderate income persons. Said density bonus shall amount to at least a 10% increase for projects that provide very low and low income housing needs, provided that increased density is consistent with environmental and concurrency goals set forth in this plan.

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Policy 5.1.6.5 - Volusia County shall seek partnerships with other local governments and private non-profit organizations to provide affordable and workforce housing.

Policy 5.1.6.6 - Volusia County shall ~~create~~ maintain an ~~internal task force~~ affordable housing review team for affordable and workforce housing. ~~This internal task force~~ The team will consist of, ~~but not be limited to Planning, Zoning, and Land Development, county staff from development engineering, community assistance, traffic engineering, utilities, planning, zoning, land development, environmental, fire department, and the building department and other affected organizations.~~ It will be charged with examine ways the County can assisting affordable housing developers to increase the available housing stock in Volusia County through density bonuses, fee waivers, deed restrictions, and other incentives established by the county council. ~~in realizing the density bonus incentives offered in its Comprehensive Plan while maintaining acceptable design standards.~~

Policy 5.1.6.7 – The DRC may approve modifications to lot sizes, lot widths, house sizes, setbacks, parking requirements, lot coverage, height requirements, open space, landscaping, and any other development standards in Chapter 72 Land Planning by up to 40 percent for certified affordable housing projects, unless governed by state or federal law.

Policy 5.1.6.8 – To encourage infill and increase the affordable housing stock in the county, the development of nonconforming lots for principal structures and accessory dwelling units may be approved administratively by the Planning and Development Services Director.

**SECTION III: AMENDMENT** – Chapter 20, Definitions of the Volusia County Comprehensive Plan is amended to update the definitions of “AFFORDABLE HOUSING” as follows:

1. "AD VALOREM (PROPERTY) TAX" - The primary source and only major source under the control of the County to fund its general operations. This tax includes real property, including land and buildings, as well as improvements erected or affixed to the land. The County Property Appraiser determines the value of all taxable land.
2. "AFFORDABLE HOUSING" – ~~Housing which costs 30% or less of a family's monthly gross income.~~ Monthly rents or monthly mortgage payments including taxes, insurance, and utilities do not exceed 30 percent of that amount which represents the percentage of the median adjusted gross annual income for extremely low, low, very low, and moderate income persons.
3. "AQUIFER" - A formation that contains sufficient saturated permeable material to yield significant quantities of water to wells and springs (see also "FLORIDAN", "SURFICIAL", AND "SOLE SOURCE AQUIFER").

\* \* \* \*

**SECTION IV: INCLUSION IN COMPREHENSIVE PLAN** – The provisions of this ordinance shall be included and incorporated into the Volusia County Comprehensive Plan as additions or amendments thereto, and shall be appropriately renumbered to conform to the Volusia County Comprehensive Plan.

**SECTION V: SEVERABILITY** - Should any word, phrase, sentence, subsection or section be held by a court of competent jurisdiction to be illegal, void, unenforceable, or unconstitutional, then that word, phrase, sentence, subsection or section so held shall be severed from this ordinance and all other words, phrases, sentences, subsections, or sections shall remain in full force and effect.

**SECTION VI: EFFECTIVE DATE** – Within ten (10) days after enactment, a certified copy of this Ordinance shall be filed in the Office of the Secretary of State by the Clerk of the County Council and transmitted to the state land planning agency and any other agency or local government that provided timely comments pursuant to the expedited state review process in Section 163.3184(3), Florida Statutes. This Ordinance shall take effect upon the latter of the following dates: (a) thirty-one (31) days after the state land planning agency notifies the County that the plan amendment package is complete and the issuance of a certificate of consistency or conditional certificate of consistency by the Volusia County Growth Management Commission, or (b) issuance of a final order by the state land planning agency or the State of Florida Administration Commission determining the amendment adopted by this Ordinance to be in compliance.

1           ADOPTED BY THE COUNTY COUNCIL OF VOLUSIA COUNTY, FLORIDA, IN  
2 OPEN MEETING DULY ASSEMBLED IN THE COUNTY COUNCIL CHAMBERS AT THE  
3 THOMAS C. KELLY ADMINISTRATION CENTER, 123 WEST INDIANA AVENUE,  
4 DELAND, FLORIDA, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2023.

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6  
7 ATTEST:

COUNTY COUNCIL  
COUNTY OF VOLUSIA, FLORIDA

8  
9 \_\_\_\_\_  
10 George Recktenwald  
11 County Manager  
12

\_\_\_\_\_  
Jeffrey S. Brower  
County Chair

Chapter 1 - Future Land Use Element

Goals, Objectives, Policies	LDR Recommendations	County Review of LDR Recommendations						Notes
		Keep	Delete	New	Replace	Move	Modify	
1.1.3.11	Future Land Use Element (Chapter 1)  New developments inside designated urban areas on the Future Land Use Map will be considered urban infill under the following circumstances: within existing platted subdivisions, amongst existing development, and utilities are currently available. Projects that meet the above criteria may be eligible for a 20% reduction in road and recreation impact fees. Nonresidential projects may be eligible for a 25% reduction in required parking. <u>Affordable housing projects may be eligible for a larger percentage, or a waiver, or a deferral based on a review of the project scope.</u>							New developments inside designated urban areas on the Future Land Use Map will be considered urban infill under the following circumstances: within existing platted subdivisions, amongst existing development, and utilities are currently available. <del>Projects that meet the above criteria may be eligible for a 20% reduction in road and recreation impact fees. Nonresidential projects may be eligible for a 25% reduction in required parking.</del> <u>Affordable housing projects may be eligible for a larger percentage, or a waiver, or a deferral based on a review of the project scope, based on furtherance of the Path Forward Plan.</u>  Staff wanted to revise the last sentence to reference the affordable housing 5-year plan.
							X	
1.3.3.3	no change recommended by the LDR Affinity Group.							To foster the creation of housing for very low, low and moderate income groups, a density bonus will be permitted for projects that are certified by Community Services as a certified affordable housing project, <del>and are processed through the Planned Unit Development process.</del>  Below are the increased densities for the following designations when such housing is to be constructed: Low Impact Urban (increase up to 5 du/s/ac) Urban Low Intensity (increase up to 8 du/s/ac) Urban Medium Intensity (increase up to 14 du/s/ac) Urban High Intensity (cannot exceed 20 du/s/ac) Density bonuses may be transferred among the above four designations when located in a unified development.  No proposed LDR recommendation. October Staff Meeting brought up need to revise this policy. Removes PUD requirement for density bonuses
							X	

Chapter 5 - Housing Element

Goals, Objectives, and Policies	LDR Recommendations	Keep	Delete	New	Replace	Move	Modify	Proposed County Changes	Notes
<b>GOAL:</b>	Housing Element (Chapter 5)								
5.1	Volusia County shall devote the necessary and effective resources available, (including private sector incentives and public programs) to ensure sanitary, affordable, and safe housing for county residents.	X							
<b>OBJECTIVE:</b>	Volusia County shall ensure the provision of adequate infrastructure and appropriate residential land use categories, in unincorporated Areas of the County, to accommodate projected growth in population and a range of housing types, including adequate sites and distribution of housing for very low, low, and moderate income households.	X							
<b>POLICIES:</b>	Volusia County shall continue to work with the private sector and the municipalities toward retrofitting or replacing inadequate infrastructure or install new infrastructure for existing residential development that is located in targeted environmentally sensitive areas.	X							
5.1.1.1	Volusia County shall encourage residents using septic tanks in existing urban residential areas to connect with municipal or County operated sewage treatment plants.	X							
5.1.1.2	Volusia County shall continue to utilize strategies for traffic calming in residential settings.	X							
5.1.1.3	Volusia County shall continue to use a combination of information provided by the Shinerberg Center for Affordable Housing and other local, state, and regional data to project growth in residential land use categories.	X							
5.1.1.4	Volusia County shall continue to monitor national, state, regional and local housing trends and programs affecting the local housing market for the projected use of funds related to housing and community development.	X							
5.1.1.5	The Future Land Use Map (see Figure 1-11, Appendix 1) shall designate lands for residential development consistent with this element and provide for the increase in population in unincorporated Volusia County.	X							
5.1.1.6	The Housing Element shall be compatible and consistent with the Future Land Use Element and discourage residential development that results in urban sprawl.	X							
5.1.1.7	The Volusia County Zoning Ordinance shall allow a diversity of lot sizes, floor areas, setbacks and other design features that allow for flexibility and choice in housing types and prices. <u>Administrative authority to deviate from these standards for new affordable housing projects shall be granted to the Development Review Committee and shall not exceed 40 percent of the existing standard set forth in the zoning ordinance.</u>						X	no changes proposed by county team	
5.1.1.8	Volusia County shall not issue development orders for urban residential development <u>on properties in the Natural Resource Management Area Overlay unless it is a certified affordable housing project that is designed in such a way as to avoid and minimize impacts to the wetlands and the wetland buffers. Development activities shall only be allowed on those portions of the property that are deemed by the county's environmental permitting staff through an evaluation of site-specific conditions to be suitable for development. An Environmental Impact Assessment will be required.</u>						X	no changes proposed by county team	
5.1.1.9	Volusia County shall continue to adopt and utilize community design standards that promote sustainability and enhance community identity.	X							
5.1.1.10	Volusia County shall continue to conduct studies to determine if an incentive-based impact fee program (decrease in fees for projects that further community values and sustainability objectives) benefits housing goals and objectives outlined in this element.	X							
5.1.1.11	Continue to implement <u>the an expedited preapplication meeting, development review, and building permit process, which is offered to developers and contractors at building contractors</u> for new construction and rehabilitation of county-verified affordable housing units in Volusia County.						X	no changes proposed by county team	

Chapter 5 - Housing Element

Goals, Objectives, and Policies	<u>LDR Recommendations</u>	Keep	Delete	New	Replace	Move	Modify	Proposed County Changes	Notes
5.1.1.13	no change recommended by LDR committee						X	<p>The following principles and criteria shall be used to provide guidance in the location of housing:</p> <ul style="list-style-type: none"> <li>- The County shall seek to minimize the effect of gentrification and economic displacement of existing residents for any redevelopment or neighborhood revitalization project in which it directly participates.</li> <li>- The County shall continue to maintain specific zoning categories in the Volusia County Zoning Ordinance that allow for the construction of mobile home parks and subdivisions.</li> <li>- The County shall continue to allow the construction of state-certified manufactured homes in residential zoning categories, as long as building code requirements, minimum zoning standards, and state requirements are met.</li> <li>- In an effort to maintain affordable housing opportunities, the County shall: <del>allow, as a special exception, the construction of accessory dwellings units in residential zoning categories outlined in Section 22-277 of the Zoning Ordinance to continue to allow a minimum floor area of 750 square feet in a majority of residential zoning categories.</del></li> <li>- The County shall continue to allow, as a special exception, the construction of farmworker living facilities on agricultural properties that are five acres and larger in size.</li> </ul>	Make consistent with the new ADU Ordinance
5.1.1.14	The County, through its five-year capital improvements planning process, shall continue to identify the public facility needs of unincorporated Volusia County, including all areas with concentrations of very low, low and moderate income households.	X						n/a	
5.1.1.15	Capital projects needed to correct public facility deficiencies shall be incorporated into the preparation of Community Development Block Grant applications and other potential grant opportunities.	X						n/a	
5.1.1.16	The County, in cooperation with the private sector and the municipalities, shall monitor the effect of impact fees on the cost of housing for low and moderate income households.	X						n/a	
5.1.1.17	Volusia County will continue to maintain an Affordable Housing Advisory Committee whose state-mandated mission is to review affordable housing incentives. In an effort to further address and evaluate the availability and the provision of affordable options, the role will be expanded beyond the state statute, as approved by the county council.	X						n/a	



Chapter 5 - Housing Element

Goals, Objectives, and Policies	<u>LDR Recommendations</u>	Keep	Delete	New	Replace	Move	Modify	Proposed County Changes	Notes
5.1.1.18	The Volusia County Council may approve the development of affordable housing on any parcel designated or zoned for residential, commercial, or industrial use if the development receives funding from the Florida Housing Finance Corporation, the State Housing Initiatives Partnership program or other federal, state, or local affordable housing funding source, or with a resolution of support from the Volusia County Council, or if the development agrees to a land use restriction agreement that reserves thirty (30) percent or more of the dwelling units for affordable housing for households with a gross income at or below 120 percent of the median income adjusted for family size for a period of 50 years or more. New development consisting of one principal structure with an accessory dwelling unit would be subject to a 20-year affordability agreement on the accessory dwelling unit.			X				<p>The Volusia County Council may approve the development of affordable housing on any parcel designated or zoned for residential, commercial, mixed use, or industrial use if any of the following apply:</p> <ul style="list-style-type: none"> <li>the development receives funding from the Florida Housing Finance Corporation, the State Housing Initiatives Partnership program or other federal, state, or local affordable housing funding source, or</li> <li>with a resolution of support from the Volusia County Council, or</li> <li>if the development agrees to a land use restriction agreement that reserves thirty (30) percent or more of the dwelling units for affordable housing for households with a gross income at or below 120 percent of the median income adjusted for family size for a period of 50 years or more.</li> </ul> <p>New development consisting of one principal structure with an accessory dwelling unit would be subject to a 20-year affordability agreement on the accessory dwelling unit.</p> <ul style="list-style-type: none"> <li>If utilizing State Funding, 100 percent of all residential units of a development must be Affordable Housing</li> <li>If utilizing Federal or Private funding, and not State funding, 30 percent of all residential units must be Affordable Housing</li> </ul>	Legal requested the following: add bulleted format, remove state funding bullet to be consistent with the Live Local Act legislation
5.1.1.19	Variances to development standards such as density, height, landscaping, minimum lot size, minimum floor area, required parking and other site requirements subject to Policy 5.1.1.18 shall be delegated to the Development Review Committee, in lieu of the standard variance process.			X				no changes proposed by county team	
5.1.1.20	To assist in providing affordable housing units for students, multi-generational families, retirees, special needs individuals, and others in need of affordable housing options, impact fees may be waived for accessory dwelling units if all impact fees have been paid for the principal dwelling unit and if the applicant is willing to place a restrictive covenant on the accessory dwelling unit that limits the rental cost to households with a gross income at or below 120 percent of the median income adjusted for family size for a period of 20 years or more. The accessory unit will remain accessory to the principal unit and may not be sold separately. Impact fees are due and payable to the county upon the expiration of the agreement, unless both parties agree to extend the land use restriction. This provision does not apply to short term rentals.			X				<p>To assist in providing affordable housing units for students, multi-generational families, retirees, special needs individuals, and others in need of affordable housing options, impact fees may be waived for accessory dwelling units if all impact fees have been paid for the principal dwelling unit and if the applicant is willing to place a restrictive covenant on the accessory dwelling unit that limits the rental cost to households with a gross income at or below 120 percent of the median income adjusted for family size for a period of 20 years or more. The accessory unit will remain accessory to the principal unit and may not be sold separately. Impact fees are due and payable to the county upon the expiration of the covenant agreement, unless both parties agree to extend the land use restriction. This provision does not apply to short term rentals.</p>	Change waived to deferred keep waiver, change agreement to covenant
<u>OBJECTIVE:</u>									
5.1.2	For those very low, low, and moderate income residents, Volusia County shall continue to provide housing assistance through programs outlined in the Consolidated Plan and the Local Housing Assistant Plan or other special directives dictated by emergency declaration as identified and updated regularly by the Community Assistance Division with incentives to encourage private sector participation.	X						n/a	
<u>POLICIES:</u>									
5.1.2.1	Volusia County shall ensure that housing assistance is available to all qualified residents regardless of age, race, disability, gender, or family size, in accordance with Title VIII of the Civil Rights Act of 1968, as amended and the Florida Fair Housing Act Chapter 760 Florida Statutes. The implementation of this policy shall include adoption and enforcement of a Fair Housing Ordinance by the County of Volusia.	X						n/a	

Chapter 5 - Housing Element

Goals, Objectives, and Policies	LDR Recommendations	Keep	Delete	New	Replace	Move	Modify	Proposed County Changes	Notes
5.1.2.2	Volusia County shall continue to develop and implement incentive programs <u>including waivers to permit fees, inspection fees, and application fees, density bonuses, as well as donations of county-owned land</u> to encourage the private sector to participate in the provision of affordable and workforce housing.						X	no changes proposed by the county team	
5.1.2.3	Pending funding availability, the County shall make available housing programs that provide financial assistance specifically for those families earning less than the median income for Volusia County.	X						no changes proposed by the county team	
5.1.2.4	Volusia County shall actively promote and distribute information regarding the availability of housing assistance programs <u>and proposed affordable housing projects</u> to the public through various media platforms.						X	no changes proposed by the county team	
5.1.2.5	Volusia County shall continue to expend federal and other state/local housing program funds to provide financial assistance to very low, low, and moderate income residents.	X						n/a	
5.1.2.6	Volusia shall support and increase coordination among the public and private sectors of the housing delivery system, by maintaining an in house network with those departments involved in housing assistance.	X						n/a	
5.1.2.7	Volusia shall coordinate with city housing planners or the appropriate representative of each municipality for housing initiatives.	X						n/a	
5.1.2.8	The Consolidated Plan and Local Housing Assistance Plan shall function as the guides for housing programs to benefit families of very low, low and moderate income. This document shall be prepared and submitted by the Community Assistance Division of Volusia County consistent with established deadlines.	X						n/a	
5.1.2.9	The county shall create a countywide affordable housing zoning overlay to assist in the prioritization of available <u>county, state, and federal funding for new affordable housing projects.</u>		X					no changes proposed by the county team	
5.1.2.10	Volusia County is committed to <u>providing the professional staffing, infrastructure and technology required to support affordable housing initiatives.</u>		X					no changes proposed by the county team	
<b>OBJECTIVE:</b>									
5.1.3	Volusia County shall encourage reinvestment in existing housing stock and assist in the rehabilitation or removal of substandard dwellings.	X						no changes proposed by the county team	
<b>POLICIES:</b>									
5.1.3.1	Volusia County shall assist in the reduction of substandard dwelling units Countywide through its Code Compliance Division.	X						no changes proposed by the county team	
5.1.3.2	Volusia shall assure continued code compliance of existing housing stock in unincorporated Volusia County.	X						no changes proposed by the county team	
5.1.3.3	Volusia County will identify and prioritize areas with a concentration of substandard conditions for code enforcement.	X						no changes proposed by the county team	
5.1.3.4	Volusia County shall conduct all condemnation and demolition proceedings in a timely and efficient manner. Housing rehabilitation assistance is offered through Community Assistance to eligible very low, low and moderate income homeowners as a voluntary program.	X						no changes proposed by the county team	
5.1.3.5	Volusia County shall continue to guide conservation, rehabilitation and demolition program techniques and strategies in accordance with the ongoing five-year Consolidated Plan as amended, or the local housing assistance plan.	X						no changes proposed by the county team	
5.1.3.6	Volusia County shall continue to seek and utilize federal and other state/local program funds to rehabilitate substandard housing.	X						no changes proposed by the county team	
5.1.3.7	Pending funding availability, Volusia County, through its housing rehabilitation program, will demolish substandard and derelict housing units when not feasible for reconstruction; construct new housing units for persons/families of very low, low and moderate income; and rehabilitate additional substandard housing units.	X						no changes proposed by the county team	
<b>OBJECTIVE:</b>									
5.1.4	Volusia County shall upgrade the efficiency of rehabilitated units when feasible and encourage development that promotes energy efficiency and continued use of existing housing units.	X						no changes proposed by the county team	

Chapter 5 - Housing Element

Goals, Objectives, and Policies	<u>LDR Recommendations</u>	Keep	Delete	New	Replace	Move	Modify	Proposed County Changes	Notes
<b><u>POLICIES:</u></b>									
5.1.4.1	Volusia County shall continue to implement utilize the Florida Building Code for all housing units.	X						no changes proposed by the county team	
5.1.4.2	Volusia County shall continue to install energy efficient features in rehabilitated affordable housing properties.	X						no changes proposed by the county team	
5.1.4.3	Volusia County shall repair functional dwelling units with energy efficient features when the replacement of a substandard home is not feasible.	X						no changes proposed by the county team	
5.1.4.4	Volusia County shall monitor innovations in national, state and regional housing programs to devise a local sustainable housing strategy.	X						no changes proposed by the county team	
<b><u>OBJECTIVE:</u></b>									
5.1.5	Volusia County shall assist in providing, those citizens with special needs who desire to live in a congregate living environment, community residential homes that are safe, sanitary, and affordable.	X						no changes proposed by the county team	
<b><u>POLICIES:</u></b>									
5.1.5.1	Volusia County shall identify special needs groups to include, but not limited to, the farmworkers, people with physical and mental disabilities, the elderly, children, homeless persons, and individuals with chronic illnesses.	X						no changes proposed by the county team	
5.1.5.2	The County shall participate in the distribution of existing information on housing programs for special needs groups to the public through various means.	X						no changes proposed by the county team	
5.1.5.3	The County shall address complaints for farmworker housing that is in substandard condition and shall seek means to improve such conditions through code compliance.	X						no changes proposed by the county team	
5.1.5.4	Volusia County shall assist in the reduction of the total number of substandard rural/farm worker units, by engaging in construction, rehabilitation and demolition projects.	X						no changes proposed by the county team	
5.1.5.5	Volusia County shall establish guidelines for the location of community residential homes consistent with Chapter 419, F.S.	X						no changes proposed by the county team	
5.1.5.6	"Group homes" and "group housing" are defined as "community residential homes" pursuant to Chapter 419, F.S. to ensure consistent usage in such documents as the Comprehensive Plan, Land Development Code and Zoning Ordinance.	X						no changes proposed by the county team	
5.1.5.7	Volusia County shall continue to provide for the inclusion of community residential homes in urban and rural land use and zoning classifications in the Volusia County Comprehensive Plan and Zoning Ordinance.	X						no changes proposed by the county team	
5.1.5.8	Volusia County shall ensure that community residential homes and facilities are licensed by the Florida Department of Health and the Florida Department of Children and Families.	X						no changes proposed by the county team	
5.1.5.9	Volusia County shall continue to expend federal and other state/local housing program funds to assist in the provision of community residential homes for special needs groups and other shelter facilities.	X						no changes proposed by the county team	
5.1.5.10	Volusia County shall continue to seek partnerships with municipalities and the private sector to provide facilities for people with special needs.	X						no changes proposed by the county team	
<b><u>OBJECTIVE:</u></b>									
5.1.6	Volusia County shall offer incentives to assist in the provision of affordable housing and preservation of significant historic housing.	X						no changes proposed by the county team	
<b><u>POLICIES:</u></b>									
5.1.6.1	Volusia County <del>shall establish a regular review process</del> has conducted a review of the land development code and the zoning ordinance to evaluate potential impacts on affordable housing goals <del>and has determined that administrative approval by the Development Review Committee (DRC) would greatly reduce and reverse or remove</del> deterrents to <u>affordability in the housing stock</u> , <del>if necessary</del> .						X	no changes proposed by the county team	
5.1.6.2	Volusia County shall continue to use a density bonus program that encourages the private sector to provide affordable and workforce housing for very low, low, and moderate income persons. Said density bonus shall amount to at least a 10% increase for projects that provide very low and low income housing needs, provided that increased density is consistent with environmental and concurrency goals set forth in this plan.	X					n/a		

Chapter 5 - Housing Element

Goals, Objectives, and Policies	<u>LDR Recommendations</u>	Keep	Delete	New	Replace	Move	Modify	Proposed County Changes	Notes
5.1.6.3	The protection of historically significant housing shall be achieved through a variety of means, of which, the following have been embraced by Volusia County: 1. Provide for local incentives that encourage rehabilitation and adaptive use of such structures; 2. Development of regulations that discourage incompatible exterior alterations and the wanton demolition of historically significant housing; 3. Assistance to property owners interested in participating in local, state and federal historic preservation programs.	X					n/a		
5.1.6.4	Volusia County may donate appropriate land and buildings to organizations dedicated in providing housing for families of very low, low and moderate incomes.	X					n/a		
5.1.6.5	Volusia County shall seek partnerships with other local governments and private non profit organizations to provide affordable and workforce housing.	X					n/a		
5.1.6.6	Volusia County shall <del>create</del> maintain an <del>internet task force</del> affordable housing review team for affordable and workforce housing. <del>This internet task force</del> The team will consist of <del>but not be limited to</del> <u>Planning, Zoning, and Land Development</u> , county staff from development engineering, community assistance, traffic engineering, utilities, planning, zoning, land development, environmental, fire department, and the building department and other affected organizations. It will be charged with <del>assist the County in</del> assisting affordable housing developers to increase the available housing stock in Volusia County through density bonuses, fee waivers, deed restrictions, and other incentives established by the county council. <del>in realizing the density bonus incentives offered in the Comprehensive Plan while maintaining acceptable design standards.</del>						X	no changes proposed by the county team	
5.1.6.7	The DRC may approve modifications to lot sizes, lot widths, house sizes, setbacks, parking requirements, lot coverage, height requirements, open space, landscaping, and any other development standards in Chapter 72 Land Planning by up to 40 percent for certified affordable housing projects, unless governed by state or federal law.			X				no changes proposed by the county team	
5.1.6.8	An administrative variance process for individual parcels shall be drafted by county staff and submitted to the Volusia County Council for consideration no later than December 31, 2022.		x					An administrative variance process for individual parcels shall be drafted by county staff and submitted to the Volusia County Council for consideration no later than December 31, <del>2022</del> 2023.	team needs more time
5.1.6.9	To encourage infill and increase the affordable housing stock in the county, the development of nonconforming lots for principal structures and accessory dwelling units may be approved administratively by the Planning and Development Services Director.		X					no changes proposed by the county team	

Chapter 20 - Definitions

Goals, Objectives, Policies	<u>LDR Recommendations</u>	Keep	Delete	New	Replace	Move	Modify	Proposed County Changes	Notes
	Definitions (Chapter 20)								
	<u>"AFFORDABLE HOUSING" - Monthly cost of ownership or monthly rent does not exceed <del>Housing which costs</del> 30% or less of a family's monthly gross median income of an extremely low, very low, low, or moderate income household, adjusted for family size within the local area as determined by the US Department of Housing and Urban Development and the Florida Housing Finance Corporation.</u>						X	<del>"AFFORDABLE HOUSING" - Monthly cost of ownership or monthly rent does not exceed Housing which costs 30% or less of a family's monthly gross median income of an extremely low, very low, low, or moderate income household, adjusted for family size within the local area as determined by the US Department of Housing and Urban Development and the Florida Housing Finance Corporation. Monthly rents or monthly mortgage payments including taxes, insurance, and utilities do not exceed 30 percent of that amount which represents the percentage of the median adjusted gross annual income for Extremely low, low, very low, and moderate income persons.</del>	Use definition in FS 420.0004

# AFFORDABLE HOUSING INITIATIVE

## The Path Forward – Strategies for Success

### FIVE-YEAR PLAN



*The Path Forward – Strategies for Success* is a compilation of recommendations that aims to increase the availability of affordable housing in Volusia County. The recommendations originated from the Affordable Housing Initiative, which incorporated industry experts, community leaders, private sector representatives, nonprofit representatives and Volusia County residents. This five-year plan addresses strategies that will help remove barriers, increase resources and focus on the importance of communication.

## OUR PRIORITIES

Throughout the months-long planning process there were three recurring priorities that consistently arose in discussions. At least one, if not all, will enhance each recommended strategy in the plan. Below is a description of each priority and an easy-reference icon for use while reviewing the document.

### 1. Resource Expansion



Prioritizing resource expansion allows for the discovery of new ideas and concepts that are compatible with, and build upon, previously used methods to increase the supply of affordable housing. Resource expansion includes exploration of innovative funding opportunities and identification of surplus property suitable for the development of affordable housing.

### 2. Maximize Cost and Time Savings



Collaborative efforts among the county, municipal partners, nonprofit organizations and housing developers can increase the efficiency and cost effectiveness of affordable housing development if regulations and processes are streamlined to prioritize increasing and preserving the supply of affordable housing stock.

Programs can be developed to perpetuate the affordability of assisted housing by implementing program policies that require it.

### 3. Effective Communication



Effective communication among all parties invested in increasing and preserving affordable housing is imperative for success.

Communication strategies include:

- Encouraging community participation in affordable housing initiatives
- Educating the public about programs, plans and policies
- Involving municipalities in every step of the process

Tracking and sharing milestones via consistent and periodic updates to a community dashboard report will allow everyone to stay informed about Volusia County's programs.



## STRATEGIES FOR SUCCESS



### **Housing is a basic community need that benefits everyone if there is an adequate supply.**

*The Path Forward* – Strategies for Success is an outline of the recommended steps necessary to attain that benefit and offers guidance on how to support efforts to increase or maintain affordable housing in Volusia County. Please read the full plan at [Volusia.org](http://Volusia.org).

While this document is intended to be a five-year plan, it will evolve as progress is made, new topics emerge and future direction is needed. The Affordable Housing Advisory Committee (AHAC) will review the recommendations on an annual basis to ensure the strategies remain in alignment with its original intent. Committee members will review recommended changes to action steps, timelines or outcomes to ensure the recommendations remain relevant to the issue.



# AFFORDABLE HOUSING INITIATIVE

## THE PATH FORWARD - STRATEGIES FOR SUCCESS

FIVE-YEAR PLAN  
2022-2027

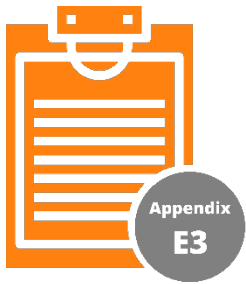
*"There is no ONE silver bullet.*

*There is no ONE solution to affordable workforce housing."*

- Mark Wilson, President and CEO, Florida Chamber of Commerce







# LAND DEVELOPMENT AFFINITY GROUP

This document is designed to summarize the discussions, actions, and recommendations of the Land Development Regulation (LDR) Affinity Group. It is provided as an appendix to the Consolidated Affordable Housing Plan to represent the group's shared perspectives. During the third and final meeting, the LDR affinity group reviewed the recommendations provided herein and voted unanimously that it provided an accurate representative of their efforts to improve the county's regulatory processes.

## Purpose/Goals

To review zoning and land development regulations and processes that govern growth in order to identify impediments to housing affordability.

Make recommendations for comprehensive plan and code changes that can be used by the County of Volusia and its municipalities to support affordable housing options.

## Meeting Dates

January 19, 2022: Issue overview, general discussion, "bucket" development  
 February 16, 2022: Homework review; deep dive into elements  
 March 23, 2022: Homework review; draft LDR Affinity Group report

## Committee Members

Chair D.J. Lebo, Early Learning Coalition  
 Phyllis Allen, Realtor  
 Scott Banta, Tiny Home Developer  
 Tracey Barlow, Realtor  
 Karen Delisle, FAITH  
 Jessica Gow, Cobb Cole Attorneys at Law  
 Randy Jenkins, West Volusia Habitat for Humanity  
 Trinity Kutschinski, Apartment Association of Greater Orlando  
 Joanna Maldonado, Mid Florida Housing Partnership  
 Saralee Morrissey, Planning Consultant  
 Robert Williams, Community and Economic Development Consultant

## Summary of Issues

The group focused on three key areas. The team classified these areas as "buckets" to better organize the evaluation of relevant issues. A discussion of each issue is as follows:

- Bucket 1:** Time and Cost Certain (less process and time for permitting)
- Bucket 2:** Impact Fees and Permitting Fees (reduced fees and costs)
- Bucket 3:** Code Changes (Integration and flexibility)



*D.J. Lebo*

This section of the Affordable Housing Consolidated Plan provides a summary of each targeted element discussed by the LDR Affinity Group, along with recommendations provided by the group for improvements to the current system. Recommendations are followed by proposed changes to the county's comprehensive plan. Revisions to existing policies are shown in underline/strikethrough. A notation is provided for new policies. This section also provides the results of a survey that was distributed to the group to better understand individual preferences for various zoning and land use changes.

A draft targeted area map was developed for the LDR team as a reference to help provide a geographical reference for affordable housing needs and services. Pending approval of the Consolidated Affordable Housing Plan by the Volusia County Council, an affordable housing ordinance will be drafted to address changes to the land development regulations and the zoning ordinance, specifically for an affordable housing program. The ordinance will include an affordable housing overlay that can be used to help focus the county's financial resources for affordable housing projects. The team agreed that while an affordable housing overlay would be useful, all good affordable housing initiatives, whether inside or outside of the proposed zoning overlay, should be considered based on their individual merits.

By utilizing a facilitated process and targeted homework assignments, the Land Development Affinity Group was able to stay focused on their purpose and was successful in providing substantive guidance to county professionals for improving county regulatory processes. Ideas that were raised by committee members outside of the committee scope were discussed briefly, put into the record, and forwarded to the appropriate affinity group for consideration. This was done to ensure that all members' ideas were heard and that good ideas were not lost in the final reporting process. The use of tax discounts/property exemptions was referred to the Funding Affinity Group by the LDR Affinity Group.



Recommendations formulated by the LDR group specific to land development and zoning regulations are as follows:

## Time and Cost Certain

### Issue 1

Developer costs can be decreased if certainty is built into schedules. There are multiple reviews and reviewers for multiple permits, and affordable housing developers are often not sure of the process, what incentives may be available for an affordable housing project, or how long it will take to get through the review process.

#### LDR Affinity Group Recommendations

Hold a preapplication meeting between the affordable housing developer and the county's affordable housing review team to establish a project schedule, required submittals, fees, and incentives. Invite affected municipalities, the school district, the Florida Department of Health, and other outside organizations that will be reviewing the project. The meeting will be utilized to provide a clear understanding of how to move forward collaboratively and seamlessly through the approval process for the benefit of affordable housing recipients.

Utilize a collaborative review process by an affordable housing review team for affordable housing projects that includes concurrent, time-specific deadlines for reviews.

*Recommendations are followed by proposed changes to the county's comprehensive plan. Revisions to existing policies are shown in underline/strikethrough. A notation is provided for new policies.*

#### Proposed Comprehensive Plan Changes

##### Housing Element

Policy 5.1.1.12 – Continue to implement ~~the~~ an expedited preapplication meeting, development review, and building permit process, which is offered to developers and contractors all building contractors for new construction and rehabilitation of county-verified affordable housing units in Volusia County.

Policy 5.1.6.6 - Volusia County shall ~~create~~ maintain an internal task force affordable housing review team for affordable and workforce housing. ~~This internal task force~~ The team will consist of, ~~but not be limited to~~ Planning, Zoning, and Land Development, county staff from development engineering, community assistance, traffic engineering, utilities, planning, zoning, land development, environmental, fire department, and the building department and other affected organizations. It will be charged with examine ways the County can assisting affordable housing developers to increase the available housing stock in Volusia County through density bonuses, fee waivers, deed restrictions, and other incentives established by the county council. in realizing the density bonus incentives offered in its Comprehensive Plan while maintaining acceptable design standards.

### Issue 2

Affordable housing developers are successful when they work in collaboration with communities to target areas for affordable housing projects. These areas should be located along transit lines, near employment centers, close to shopping, and should provide easy access to essential services for those who utilize affordable housing. A targeted area would allow Volusia County and its municipalities to pool their resources in areas where affordable housing is most needed to help create a thriving community. While it is recognized that new affordable housing developments should be

located in urban areas with the established infrastructure, it is necessary to provide a balance throughout the county and the municipalities to increase individual affordable and workforce housing units for all residents.

### LDR Affinity Group Recommendation

- The county and its municipalities should prioritize their financial resources and gap funding for new affordable housing developments in areas identified through a targeted area map or an affordable housing zoning overlay; however, they should be open to innovative alternatives outside of the zoning overlay that can increase affordability options throughout the county.

### Proposed Comprehensive Plan Changes

#### *Housing Element*

Objective 5.1.1 – Volusia County shall ensure the provision of adequate infrastructure ~~and appropriate residential land use categories in the county's utility service areas~~ to accommodate projected growth in population and a range of housing including adequate sites and distribution of housing for very low, low, and moderate income households.

Policy 5.1.1.9 – Volusia County shall not issue development orders for urban residential development on properties in the Natural Resource Management Area Overlay unless it is a certified affordable housing project that is designed in such a way as to avoid and minimize impacts to the wetlands and the wetland buffers. Development activities shall only be allowed on those portions of the property that are deemed by the county's environmental permitting staff through an evaluation of site-specific conditions to be suitable for development. An Environmental Impact Assessment will be required.

**(new)** Policy 5.1.1.18 – The Volusia County Council may approve the development of affordable housing on any parcel zoned for residential, commercial, or industrial use if the development receives funding from the Florida Housing Finance Corporation, the State Housing Initiatives Partnership program or other federal, state, or local affordable housing funding source, or with a resolution of support from the Volusia County Council, or if the development agrees to a land use restriction agreement that reserves thirty (30) percent or more of the dwelling units for affordable housing for households with a gross income at or below 120 percent of the median income adjusted for family size for a period of 50 years or more. New development consisting of one principal structure with an accessory dwelling unit would be subject to a 20-year affordability agreement on the accessory dwelling unit.

**(new)** Policy 5.1.1.19 – Variances to development standards such as density, height, landscaping, minimum lot size, minimum floor area, required parking and other site requirements subject to Policy 5.1.1.18 shall be delegated to the Development Review Committee, in lieu of the standard variance process.

**(new)** Policy 5.1.2.9 – The county shall create a countywide affordable housing zoning overlay to assist in the prioritization of available county, state, and federal funding for new affordable housing projects.

### Issue 3

Public involvement is a key component of project review and approval. Affordable housing projects can sometimes be held up or can lose valuable grant funding opportunities as “Not in My Backyard” or NIMBY groups often seek to stall the construction of new affordable housing units in their area. Sometimes the loudest voice is not representative of the majority, and it can be difficult for decision

makers to balance individual opinions with the need for more affordable units. In 2020, the Florida Legislature approved House Bill 1339, which was incorporated into Chapter 125.01055, Florida Statutes. It allows affordable housing in all residential, commercial, and industrial zoning classifications. The new law essentially allows the local governments to override their comprehensive plan and land planning regulations in the interest of affordable housing.

### **LDR Affinity Group Recommendations**

- Shift the narrative. Develop and implement a good communication plan for each new county-sponsored affordable housing project to help alleviate perceived fears of affordable housing projects.
- Utilize House Bill 1339 to increase the affordable housing stock in Volusia County.
- Delegate administrative authority to staff for affordable housing projects.
- Set a threshold for appeal of affordable housing project decisions.
- Gain an understanding of who is voicing opposition to a new affordable housing project and what they are opposing.
- Maintain a list of affordable housing advocates who are willing to support projects at county commission meetings.

### **Proposed Comprehensive Plan Changes**

#### *Housing Element*

**(new)** Policy 5.1.1.19 – Requirements to development standards such as density, height, landscaping, minimum lot size, minimum floor area, required parking and other design standards subject to Policy 5.1.1.18 shall be delegated to the Development Review Committee for affordable housing projects, in lieu of the standard variance process.

Policy 5.1.2.4 - Volusia County shall actively promote and distribute information regarding the availability of housing assistance programs and proposed affordable housing projects to the public through various media platforms.

**(new)** Policy 5.1.2.9 – Volusia County shall maintain a list of affordable housing advocates and notify them of new affordable housing proposals under consideration by Volusia County.

### **Proposed Code Changes**

Pending approval of the Consolidated Affordable Housing Plan by the County Council, a new affordable housing ordinance will be drafted for incorporation into Chapter 72, Land Planning, Volusia County Code of Ordinances to address these three issues.

## **Impact Fees and Permitting Fees**

### **Issue 1**

County fee schedules are complex and sometimes difficult to understand what a developer's total cost commitment to an affordable housing project may be. It is important for affordable housing developers to calculate the total costs at the front end of the planning process. The cost of development sometimes exceeds the ability for developers to fund the entire cost. In addition to land acquisition, design fees, and construction costs, developers are required to pay application fees,

permit fees, impact fees, mitigation fees, and inspection fees. Waivers and/or deferrals of some of these fees help developers to justify their commitments to affordable housing initiatives. Density bonuses can also provide a mechanism for developers to recoup their losses through the ability to build more units than are typically allowed.

### **LDR Affinity Group Recommendations**

1. Provide a waiver of permit and inspection fees for developers seeking density bonuses.
2. Provide a waiver of application fees for affordable housing projects.
3. Revise the county's definition of affordable housing to be used for making the determination of which projects qualify for affordable housing bonuses, waivers, and deferrals.
4. Require a restrictive covenant for bonuses, donations, funding and fee waivers.

### **Proposed Comprehensive Plan Changes**

#### *Chapter 20 – Definitions*

“Affordable Housing” – Monthly cost of ownership or monthly rent does not exceed Housing which costs 30% or less of a family's monthly gross median income of an extremely low, very low, low, or moderate income household, adjusted for family size within the local area as determined by the US Department of Housing and Urban Development and the Florida Housing Finance Corporation.

#### *Chapter 5 – Housing*

**(new)** Policy 5.1.1.18 – The Volusia County Council may approve the development of affordable housing on any parcel zoned for residential, commercial, or industrial use if the development receives funding from the Florida Housing Finance Corporation, the State Housing Initiatives Partnership program or other federal, state, or local affordable housing funding source, or with a resolution of support from the Volusia County Council, or if the development agrees to a land use restriction agreement that reserves thirty (30) percent or more of the dwelling units for affordable housing for households with a gross income at or below 120 percent of the median income adjusted for family size for a period of 50 years or more. New development consisting of one principal structure with an accessory dwelling unit would be subject to a 20-year affordability agreement on the accessory dwelling unit.

Policy 5.1.2.2 - Volusia County shall continue to develop and implement incentive programs including waivers to permit fees, inspection fees, and application fees, density bonuses, as well as donations of county-owned land to encourage the private sector to participate in the provision of affordable and workforce housing.

### **Issue 2**

The county is responsible for safeguarding the public interest and ensuring that development pays for itself and that county services can be equitably provided to all county residents. Developers are responsible for ensuring that they have sufficient funding to complete each project successfully. Deed restrictions can provide a mechanism for guaranteeing affordable housing units over an extended period of time in exchange for cost certainty for the developer. By reframing affordable housing needs as a community need and a social justice discussion, it becomes clear that everyone should be part of the process to secure a sufficient affordable housing stock in the county.



## LDR Affinity Group Recommendations

1. Provide impact fee waivers or deferrals for affordable housing projects.
2. Create a one-page application for affordable housing projects where the applicant acknowledges their commitment to affordable units and that if the units are developed at market rate, fees would be due and payable to the county prior to construction.
3. Create a centralized area of expertise that has the infrastructure and technology in place to support affordable housing initiatives.
4. Consider a taxing district or a bonding mechanism specific to a community that can be paid back over time to cover the cost of building affordable units.
5. Promote the economic and social justice benefits for affordable housing to the Volusia County citizenry.

## Proposed Comprehensive Plan Changes

### *Chapter 1: Future Land Use Element*

Policy 1.1.3.11 - New developments inside designated urban areas on the Future Land Use Map will be considered urban infill under the following circumstances: within existing platted subdivisions, amongst existing development, and where utilities are currently available. Projects that meet the above criteria may be eligible for a 20% reduction in road and recreation impact fees. Nonresidential projects may be eligible for a 25% reduction in required parking. Affordable housing projects may be eligible for a larger percentage, or a waiver, or a deferral based on a review of the project scope.

(Existing policy – no changes proposed)

Policy 1.3.3.3 – To foster the creation of housing for very low, low and moderate income groups, a density bonus will be permitted for projects that are certified by Community Services and are processed through the Planned Unit Development process. Below are the increased densities for the following designations when such housing is to be constructed:

- Low Impact Urban (increase up to 5 du's/ac)
- Urban Low Intensity (increase up to 8 du's/ac)
- Urban Medium Intensity (increase up to 14 du's/ac)
- Urban High Intensity (cannot exceed 20 du's/ac)

**(new)** Policy 5.1.1.20 – To assist in providing affordable units for students, multi-generational families, retirees, special needs individuals, and others in need of affordable housing options, impact fees may be waived for accessory dwelling units if all impact fees have been paid for the principal dwelling unit and if the applicant is willing to place a restrictive covenant on the accessory dwelling unit that limits the rental cost to households with a gross income at or below 120% of the median income adjusted for family size for a period of 20 years or more. The accessory unit will remain accessory to the principal unit and may not be sold separately. Impact fees are due and payable to the county upon the expiration of the agreement, unless both parties agree to extend the land use restriction. This provision does not apply to short term rentals.

**(new)** Policy 5.1.2.10 – Volusia County is committed to providing the professional staffing, infrastructure and technology required to support affordable housing initiatives.

## Proposed Code Changes

Pending approval of the Consolidated Affordable Housing Plan by the County Council, a new affordable housing ordinance will be drafted for incorporation into Chapter 72, Land Planning, Volusia County Code of Ordinances to address these two issues.

## Code Changes

### Issue 1

Integration through adaptability and flexibility can increase the affordable housing stock. Modern best practices throughout the country have been proven to accommodate more affordable housing that is well integrated into existing communities. There are currently 51 zoning classifications in Volusia County's zoning ordinance that have discrete requirements for minimum lot sizes, minimum lot widths, minimum house sizes, minimum setbacks, minimum parking requirements, maximum lot coverage, and maximum height requirements. Any deviation from these regulations requires a variance that is vetted through a public hearing process. Allowing professional staff to make reasonable administrative modifications to these requirements without having to go through additional steps in the development process will reduce the time and cost associated with the review of affordable housing proposals. While the scope of the LDR Affinity Group is limited to affordable housing projects, it should be noted that an administrative variance process for all parcels would increase the affordability of homes in Volusia County.

### LDR Affinity Group Recommendations

1. Allow flexible and/or reduced lot sizes and widths that may not meet the standard zoning requirements without having to go through the variance process.
2. Allow density bonuses for affordable housing projects.
3. Consider reduced setbacks for affordable housing projects without having to go through a variance process.
4. Be less restrictive about specific housing types in each zoning classification (single family detached, single family attached, multi family, tiny homes, etc.)
5. Allow reduced parking requirements for affordable housing projects without having to go through a variance process.
6. Allow affordable units to be built on nonconforming lots without having to go through the variance process.
7. Allow pocket neighborhoods and tiny homes to increase the supply of affordable units throughout the county.
8. Allow administrative approval to modify any development standard in Chapter 72 of the Land Development Code by up to 40% for affordable housing projects.

## Proposed Comprehensive Plan Changes

### *Chapter 5 - Housing Element*

Policy 5.1.1.8 – The Volusia County Zoning Ordinance shall allow a diversity of lot sizes, floor areas, setbacks and other design features that allow for flexibility and choices in housing types and prices. Administrative authority to deviate from these standards for new affordable housing projects shall be granted to the Development Review Committee and shall not exceed 40% of the existing standard set forth in the zoning ordinance.



Policy 5.1.6.1 – Volusia County ~~shall establish a regular review process~~ has conducted a review of the land development code and the zoning ordinance to evaluate potential impacts on affordable housing goals and has determined that administrative approval by the Development Review Committee (DRC) would greatly reduce and revise or remove deterrents to affordability in the housing stock, if necessary.

**(new)** Policy 5.1.6.7 – The DRC may approve modifications to lot sizes, lot widths, house sizes, setbacks, parking requirements, lot coverage, height requirements, open space, landscaping, and any other development standards in Chapter 72 Land Planning by up to 40 percent for certified affordable housing projects, unless governed by state or federal law.

**(new)** Policy 5.1.6.8 – An administrative variance process for individual parcels shall be drafted by county staff and submitted to the Volusia County Council for consideration no later than December 31, 2022.

**(new)** Policy 5.1.6.9 – To encourage infill and increase the affordable housing stock in the county, the development of nonconforming lots for principal structures and accessory dwelling units may be approved administratively by the Planning and Development Services Director.

## Issue 2

Inclusionary zoning is a method used to ensure that affordable housing stock keeps pace with market rate development. It typically requires market-rate developers to build a percentage of affordable units within each development proposal, with the ability to transfer some units outside of the project area. In lieu of requiring a market rate developer to build affordable units, an inclusionary zoning ordinance could allow the developer to pay into an affordable housing trust fund so that the county can work with other partners to maintain the affordable housing stock in areas of need.

### LDR Affinity Group Recommendations

While inclusionary zoning was discussed by the group, members conceded that it is a complex issue that requires additional study. Market rate developers generally oppose inclusionary zoning ordinances because they do not specialize in building affordable housing units and are unfamiliar with the nuances of such projects. Some LDR affinity group members supported the concept of mixed-use communities, which include a combination of affordable and market rate housing. They cited the benefit of diversity and inclusion in communities. One member stressed the overall benefit to society. Other members suggested that it may work in targeted areas. Still other members disagreed completely with the concept, especially in high-end neighborhoods. Transfer of development rights was raised as a potential solution to mixed use communities in order to address concerns about similar type housing in discrete neighborhoods.

The group also discussed the concept of exaction versus compensation, and they recognized that developers need to be made whole for participating in an inclusionary zoning process. Examples were shared of projects in other local government jurisdictions. Members recognized that an inclusionary zoning program may not work in Volusia County due to the low-density growth pattern, but they conceded that it is an important topic to discuss. One member suggested that linkage fees in combination with inclusionary zoning in a targeted area may be a partial solution.

### Proposed Comprehensive Plan Changes

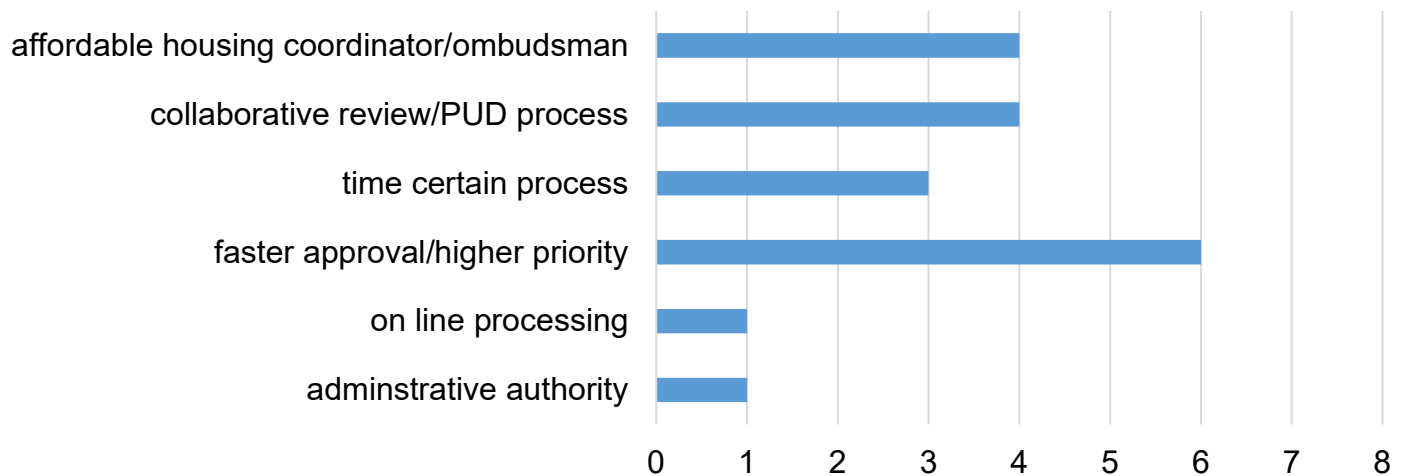
The group did not reach consensus on this issue. No changes are proposed at this time.

## LDR Affinity Group – Summary of Survey Results

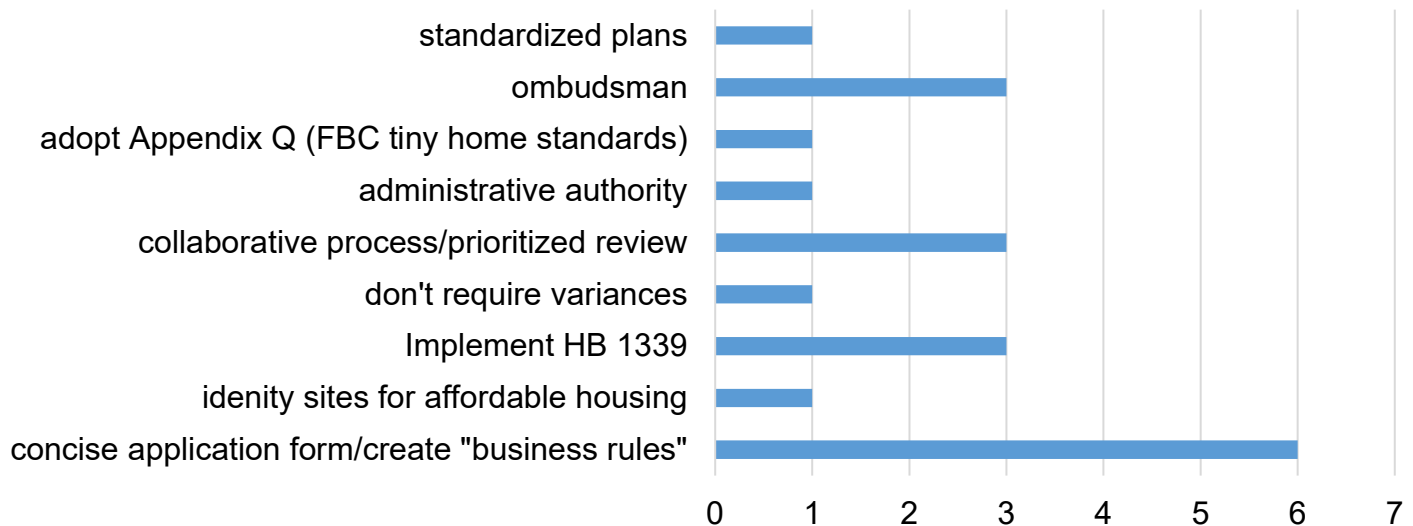
The LDR Affinity Group consisted of eleven members who successfully collaborated at three, in-person sessions to identify potential ways to improve county regulatory processes for affordable housing. The sessions were supplemented by two homework assignments that allowed the members to express their individual opinions “off line” and bring their ideas back to the group for discussion. One of the homework assignments included a survey in which they were asked specific questions, followed by a freestyle writing assignment that encouraged individual preferences. Ten of 11 members responded to the survey.

The results are provided below:

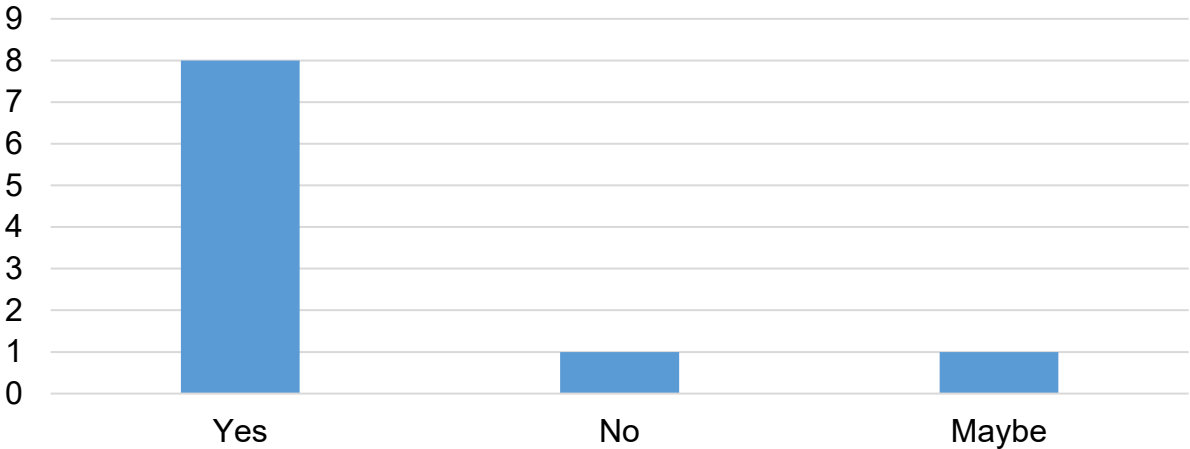
### How can we reduce processing time?



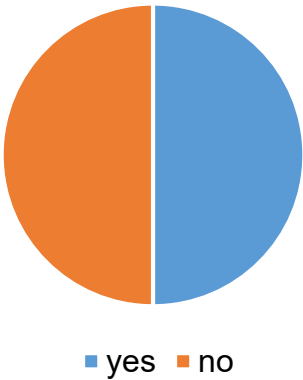
### How do we improve the process?



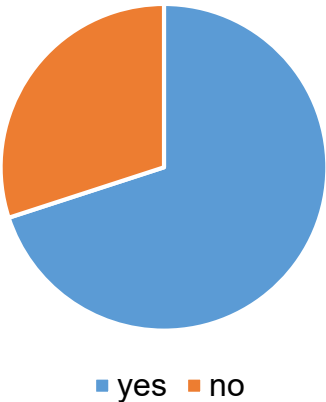
Should we create an affordable housing zoning overlay to prioritize funding?



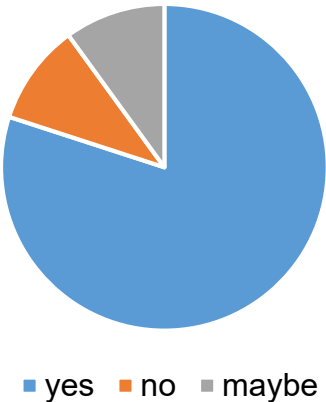
Do you support a tax increase to pay for affordable housing projects?



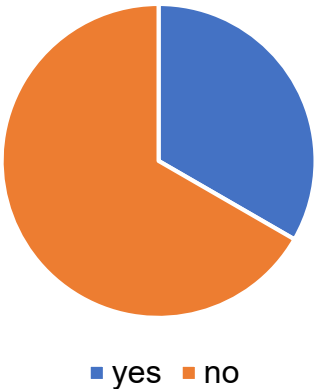
Should we waive permit and inspection fees for affordable housing projects?



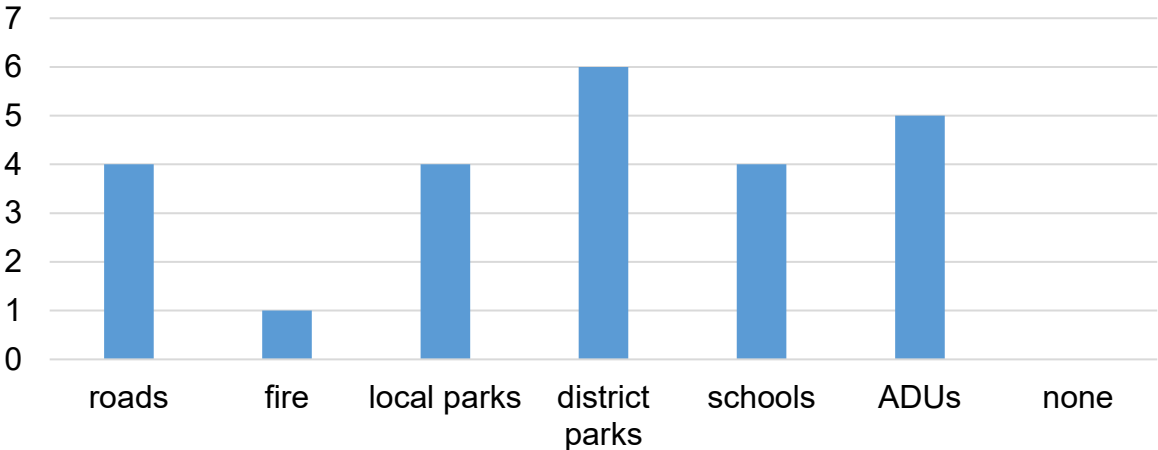
Should we waive application fees for affordable housing projects?



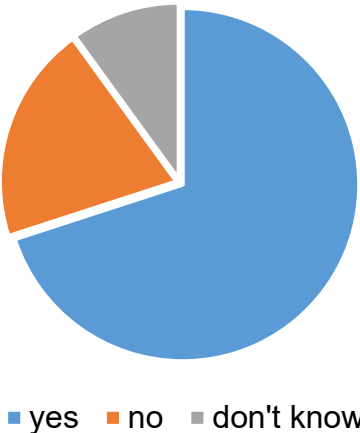
Should we reduce public involvement to avoid NIMBY?



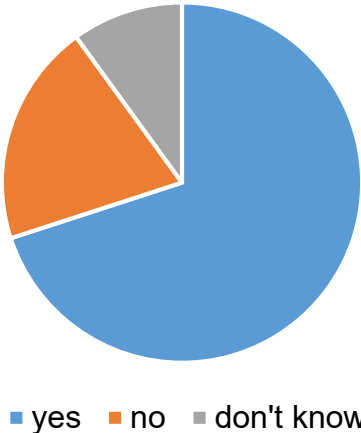
Which impact fees would you support waiving or deferring?



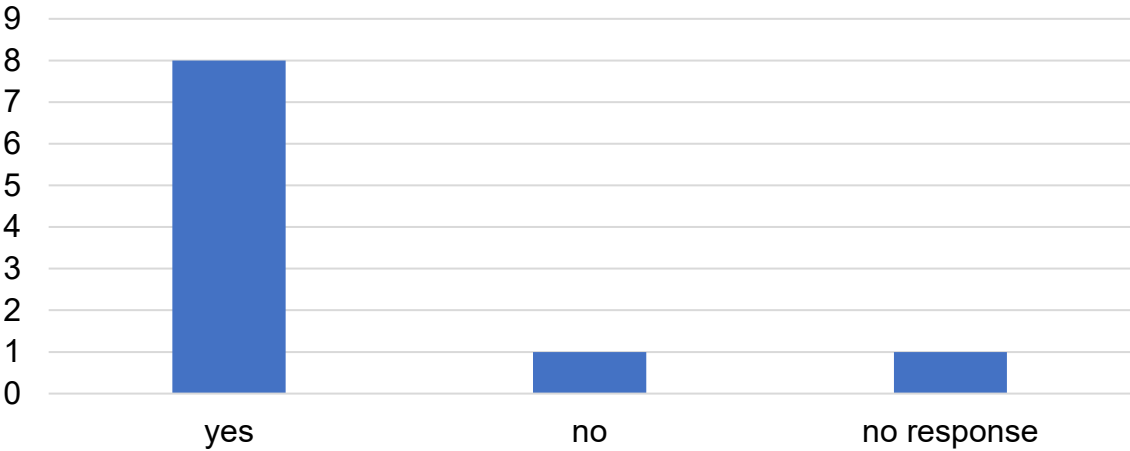
Should we eliminate minimum lot sizes for affordable housing?



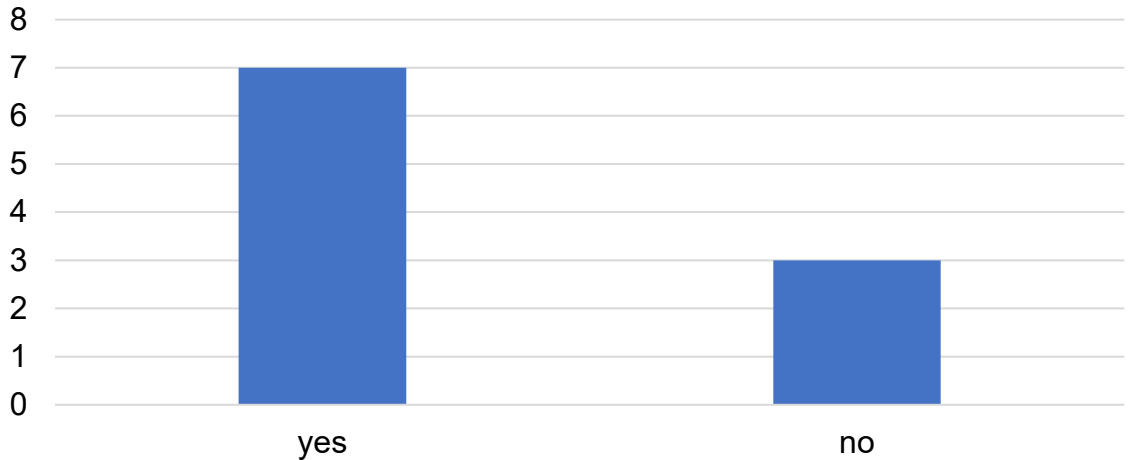
Should we eliminate minimum house sizes for affordable housing?



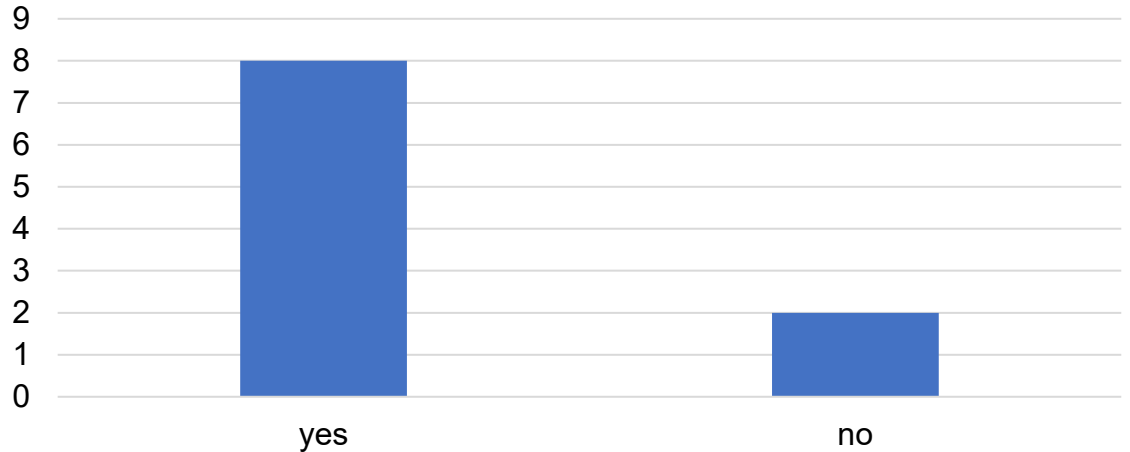
Should we allow administrative approval of modifications to the code (up to a certain percentage)?



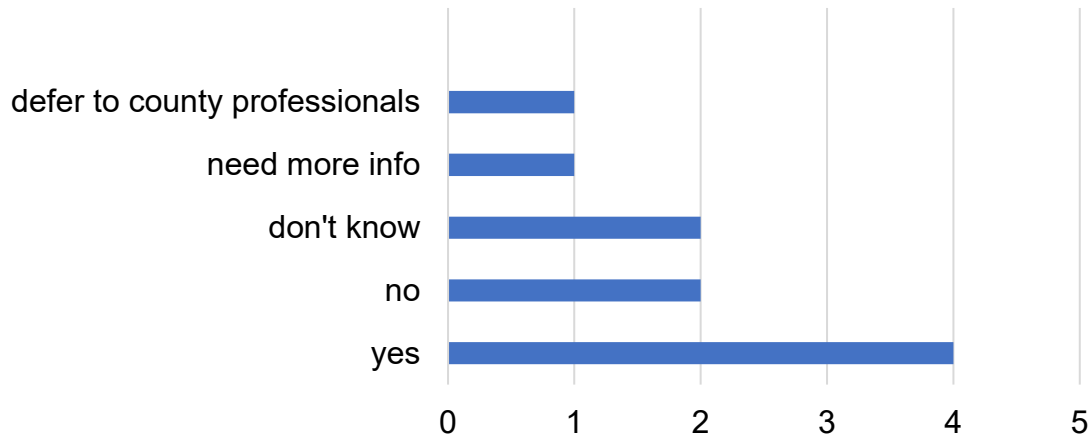
Should we have an inclusionary zoning ordinance?



Are you a resident of Volusia County?



Do you recommend changes to the county's current density bonus program?



## Additional Survey Comments

### Reducing Design and Production Costs

- Promote digital submittal system and payment. Provide larger upload file amounts for digital submittals.
- Improve online zoning maps.
- Sit down with developer to go over plans. Have a quicker, comprehensive review so the engineer only needs to respond one time for changes. Move affordable housing to the head of the line. Identify key issues that need to be resolved and be more specific during review. Let developers work off a survey sketch to reduce time. A full survey can be provided later. County should mandate that all units are energy efficient to reduce monthly electric and water bills.
- Cut down on design element requirements and their use. Appoint a design review board of volunteers in the community including architects, landscape architects, urban designers, other designers, and general citizens.
- Create a certification program whereas applicants/contractors can be authorized to be allowed to self-certify aspects of the site planning design work in accordance with code. By completing an affidavit, they and/or their civil engineer would testify that the site plan complies with county codes and would not have to be delayed awaiting county staff time to re-review. Also, with this program, applicants/contractors would only have to have a site plan concept and building plans approved once but could later apply to multiple other similar locations without having to go back through a lengthy process.

### Addressing NIMBY

- Declare public policy goals and objectives within the comprehensive plan that promote the location of affordable housing throughout the county, and highly recommend this use within areas shown on the targeted area maps under formation by county staff.
- Delegate administrative authority to staff and set a reasonable threshold for appeal (more than one or two disgruntled neighbors).
- Gain an understanding of HB 1339 and actually use the bill. It allows government to override local zoning to develop affordable housing.
- Really look at who is objecting and really what they're objecting to. A few NIMBY voices should not be enough to sway commissioners from allowing affordable housing.
- We must shorten timeframes. The current review system is archaic with NIMBYs.

- Communication – communication – communication. Create narrative shifting language that everyone is able to utilize.
- I see this ultimately as a council decision. If you want to encourage affordable housing and save time on process, then there needs to be fewer hearings and meetings, and more opportunity for administrative decisions. If the use is permitted in the land use and zoning category, there should be fewer public hearings and meetings, even if that means smaller lot sizes, square footage, etc.
- Involve the public now while the decisions to provide incentives and modify rules are being considered.
- Community meetings with existing residents and county staff of mixed races who speak Spanish or French.
- Community education and meetings to address impacts on water supply, roads, accommodations for public input – perhaps before county council meetings?
- An informational/education outreach campaign that focuses on shifting the narrative behind affordable housing. Because of the existing negative connotation behind the word, reframing the topic of conversation as housing affordability or attainability can go a long way.
- Assure policy only requires public hearing of affordable housing projects as required by state statutes and that local policy does not require unnecessary public hearings that seem to only attract the NIMBYs. Also, provide positive examples of other successful and attractive projects to help educate the NIMBYs that their concerns most likely are not valid and/or are incorrect by a misleading misconception.

### **Affordable Housing Overlay Zone**

- This should always be a case-by-case review, but certain funding measures make sense in targeted areas (reduced transit needs = reduced impact fees, etc.).
- The county should prioritize gap funding initiatives to areas identified in the overlay, but it should not be exclusive. It should be open to innovative alternatives.
- County should balance providing resources to various affordable housing developments. Resources allocated to assist various segments (very low, low, sales and rentals) should be looked at. Look at the overall pot of money the county is spending now for programs and evaluate which programs are benefiting which segments that need assistance.
- Look at all funds expended on social programs and figure out who is benefiting, and some of those funds should shift to new programs.
- Housing is needed in all areas of Volusia County. It's hard to pick a specific area.

### **Alternative Revenue Sources**

- Consider some type of modest user/resident fee that can be bonded, similar to a community development district tax. It could be paid for through the property tax or utility bill.
- I recommend a lapse in fees until the project moves out of the affordable housing category.
- We talked about how time is money. Expediting the processing time should save the developers a significant amount of time. I am not sure if I agree with total waiving of the fees for workforce developers who build renter properties because they are making a profit on their renter units. I believe that developers concentrating on homeownership should be under a different criterion.
- Increase permit and inspection fees on all other projects.
- Initiate a countywide affordable housing trust fund from the American Rescue Plan. Once an affordable housing trust fund is established, affordable housing developers are attracted to your area. In FAITH interviews with a Jacksonville affordable housing developer, they said they

area wanting to do a project in Volusia County as they have projects in Orlando and Jacksonville. They would like to follow the I-4 and I-95 corridor.

- I do not believe that I am at the point to recommend the waiving of permit fees. It would be my recommendation that we find ways to reduce the cost/time incurred by staff, as this is what dictates the amount of the fee, of processing affordable housing applications. Pass that savings on to the applicant. I am more supportive of creating a trust fund that can be used as a match for other grants and to incentivize affordable housing by contributing towards impact fees or infrastructure costs. The trust fund could receive revenue through various federal and state grants, ARPA funds and possibly linkage fees assessed on commercial projects.

### **Definition of Affordability Based on Personal Experience**

- Low-income residents need small, modest but non-slum-like affordable places to live in the \$500 to \$1,000 per month range.
- I agree with the standard definition of 30% of income to go to housing and utility expense. I don't agree with mixed developments (in most instances) where market rate units are combined with affordable units. I do agree that market rate development could provide funds to be used to assist in affordable housing.
- In my experience, the words affordable housing mean something different to everybody. For someone in the field, it has a very specific meaning. To the lay person such as myself, we think of it as "a decent home for a decent price." It's one that can house your family and, after paying for it, still leave you with enough money to pay for your other necessities and some "wants."
- Definition of affordable: Able to be afforded: having a cost that is not too high. Why, when it comes to affordable housing, you get NIMBY? We have to remove the negative connotation that is related to affordable housing. Most people believe that having affordable units in their neighborhood will bring down their property value. Not sure why providing workforce/affordable homes would make people think that the quality of workforce homes is less than theirs, or do they believe that because they are in a higher income class, the people whose income is less than theirs don't deserve quality housing? Or, do they think that anyone whose economic standard is less than theirs can't share the same land? Or, do they look at them as just plain less than them? Not sure why people who work everyday jobs shouldn't experience homeownership. Why do we always want to put the workforce population into renter properties? Even if they start in a renter property, there should be some type of path to homeownership. Every child deserves a backyard to play in.
- We have never had a sufficient supply of adequate housing for the low and very low income households, but now our middle income households also cannot find adequate housing to rent or own. In 2020, my daughter was offered a teacher's salary in Volusia (approx. \$45k/year) and could not afford to live by herself in any of the new apartment complexes being constructed either on the east or west side of the county. Rents exceeded 30% of her gross income and were slightly more than 40%. The 30% rule of thumb continues to be a good guideline for defining affordable.
- Within 30% of the resident's income. This weekend at church, two people stated that their rent is going up \$500; effective in March, another \$300. A mobile home resident said her lot rent has gone from \$414 per month in 2018 to \$621 this year. These people are all on fixed incomes and unable to work. The average monthly rent in Volusia County is currently \$1,340 per month.
- Based on my perspective and experience, "affordability" in Volusia County means those who work in the county can also afford to live there and vice versa.
- I believe there is a need for a committee to be appointed to refine the state statute (definition) for Volusia County, and the definition should be approved by the county council. The final



initiatives of the affinity groups could be replicated within many municipalities using the same standards.

### **Impact Fees**

- Revised impact fee study to show that the revised rate is proportionate to the impacts.
- Look at changing impact fees for different home sizes. A single mom with 2 kids in an affordable home is not the same impact as a family of 4 in a 3,000 sf home with four vehicles.
- I don't believe impact fees should be waived, but a study should be done or some study used and a discount applied for the reduction in overall cost. I am also not opposed to an increase in property taxes.
- State of Florida funding.

### **Density Bonuses**

- I would like to see how often the bonuses have been applied for and used. They seem appropriate to me, along with the potential for administrative adjustments to other development criteria.
- I defer to county professionals on the appropriate percentage for density bonus allocations.
- Proposed density bonus changes: four-story apartments going to 24 units per acre; five story apartments going to higher, especially with structured parking. Let the market decide.
- Recommend four-story apartments going to 24 units per acre and five-story apartments going higher, especially with structured parking. Let the market decide. Staff should take a good look at alternatives being brought forward with build-for-rent/build-to-rent higher density single family, paired villas, triplexes and quads.
- Consider increasing the number of units in Low Impact Urban and Urban Low Intensity designations.

### **Administrative Approval**

- Allow for administrative approval of up to 40% modifications from development criteria to limit the need for full public hearing process and limit approval to DRC action for site plan review.
- Set a reasonable threshold for appeal.
- Possibly create a publicly approved administrative review process that meets some sort of best practice or national standard.
- Why can't it get done during the development review committee stage?
- Modifying design standards, lot sizes, etc., could be done through DRC and eliminate PLDRC. This can only be done if the council is truly supportive and understanding of the issues of affordable housing. You can't create a more favorable process for affordable housing that eliminates some of the current public involvement process if council members are going to criticize staff every time they approve a new project that someone doesn't like. We have segregated ourselves too much by socioeconomic status. Allowing more mixed use housing developments and neighborhoods would be a move towards more diverse communities and less isolation/segregation.

## Inclusionary Zoning

- Allow inclusionary zoning in designated areas – not countywide.
- Dedicate \$1,000,000 plus in the county general fund annually to an affordable housing trust fund.
- Use \$2,500,000 of ARPA funds to seed an affordable housing trust fund.
- Facilitate small-scale infill opportunities.
- Review regulations – just don't eliminate them since they were put in place to solve problems – develop new "least restrictive" ways to solve problems.
- I don't like mixing uses especially in higher end single family or multifamily housing. To me, it doesn't make sense. I do like having a development fund established through more expensive market rate subdivisions (like Seminole County's old Flea World project).
- Based on the additional discussion at the meeting, in the end we have to make developers whole, so inclusionary zoning doesn't make sense. Something that we didn't talk about in the meeting that I don't know if it makes sense or not is a smart code methodology. From what I understand, it is a version of form-based codes and maybe Daytona Beach already has? Focus on what we want rather than what we don't want [according to Catherine Hartley (AF summit speaker)].
- When developers or builders receive any fee waiver, incentives, or funding given by Volusia County to build market price homes, they should participate in inclusionary zoning. This would enable us to keep up with the demand for affordable homes.

## Additional Comments

- Beachside apartments and homes along with mainland homes that are blighted could be renovated for safe, clean housing. Currently, hotel and restaurant service workers are living in Bunnell and DeLand as they cannot afford to live near work.
- Cottage home communities or small dwelling home neighborhoods (e.g. Elinor Village) and vacated shopping centers may be potential affordable housing sites.
- Waiving developer application fees for affordable projects will be a needle mover or enough of an incentive to make a project viable, just wanted to make a quick note of that.
- A reduction (instead of a complete waiver) of impact fees and permitting fees would serve as sufficient incentive.

## Targeted Area Map for Affordability Planning

The LDR Affinity Group recommended the development of a targeted area map that could help the county focus its affordable housing resources in specific areas of need.

According to a report by the Florida Chamber of Commerce, there are 10 root causes of poverty:

1. Lack of employment opportunities
2. Inequities in education and workforce development
3. Unaffordable and unattainable housing
4. Insufficient transportation options
5. Disproportionate health access and outcomes
6. Food insecurity
7. Inaccessible and unaffordable child care
8. Unsafe environments,
9. Imbalanced outcomes in the criminal justice system
10. Lack of recognition and access within the community

The Food Brings Hope (FBH) Prosperity Initiative is a locally driven project that is focusing on the 32114 ZIP code where childhood poverty rates are more than double what they are in the rest of the county. It is a collaborative community partnership to address some of the root causes of poverty, including lack of employment opportunities, inequities in education and workforce development, unaffordable and unattainable housing, disproportionate health access and outcomes, and food insecurity.

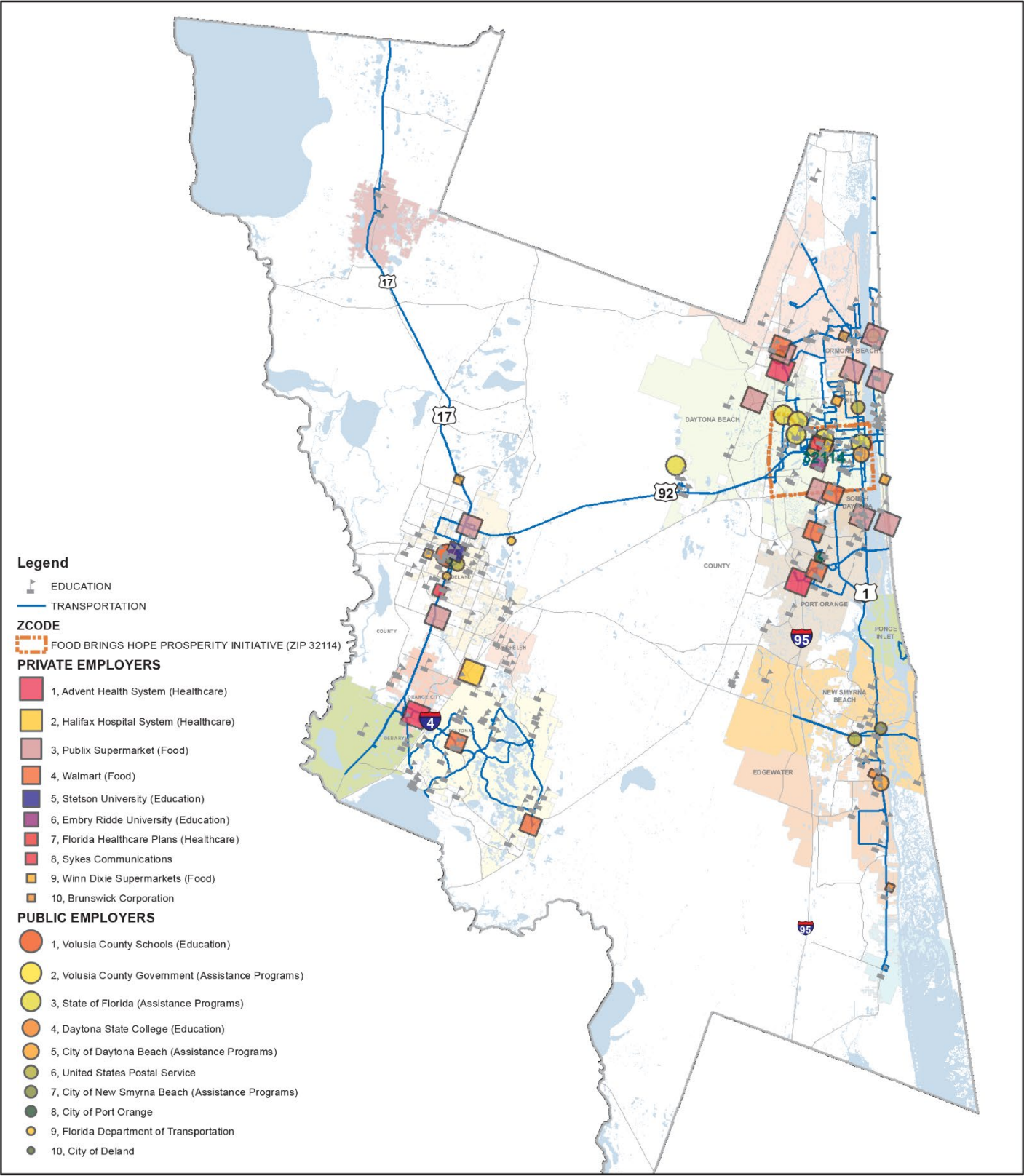
County staff recognized that in order to develop a targeted area map for affordable housing opportunities, variables identified by the Florida Chamber and the FBH Initiative would become critical components of the mapping effort. The LDR Affinity group reiterated the need for a high correlation between community needs and available services. To geographically frame current conditions in both the east and west sides of Volusia County, the county's Planning and Development Services Division mapped major employers, transit lines, transportation corridors, and city boundaries. After reviewing the data, it became clear that some of Volusia County's largest employers were providers of the very services identified by the Florida Chamber and FBH. The map was further refined to classify major employers by the services that they provide such as health care, food, education, and assistance programs. Finally, the 32114 ZIP code was delineated.

The map is designed as a generalized tool to match resources with needs. Many in poverty do not have access to transportation. Transit and walkability options are the key to help them meet their daily needs. The average person can comfortably walk a distance of a quarter mile to a desired destination. The maps provided on the following pages can assist affordable housing stakeholders with a conceptualization of opportunities for helping to address the roots of poverty by maximizing the availability of public and private community resources.

If the Consolidated Affordable Housing Plan is approved by the Volusia County Council, the next step will be for the Planning and Development Services Division and the Community Assistance Division to coordinate with their partners to further refine the areas of critical need and establish an Affordable Housing Zoning Overlay. Areas within the overlay would be considered priorities for affordable housing funding and would qualify for county incentives that are available through the comprehensive plan, the land development regulations, and the zoning code for affordable housing projects.

When the LDR Affinity Group reviewed the targeted area map in their final meeting, they stressed the need to focus county initiatives within a targeted area, but to also be flexible about considering good opportunities outside of a proposed zoning overlay. Additionally, they recognized that in order to implement a robust affordable housing plan, the county will need to engage, share, and work collaboratively with each municipality to achieve a successful outcome.

TARGETED AREA MAP FOR AFFORDABILITY PLANNING



**Disclaimer:**  
This map is intended only to be a visual representation and should not be used for the making of accurate measurements, or for engineering purposes. The County of Volusia is not responsible for outcomes of decisions made on the basis of this map.



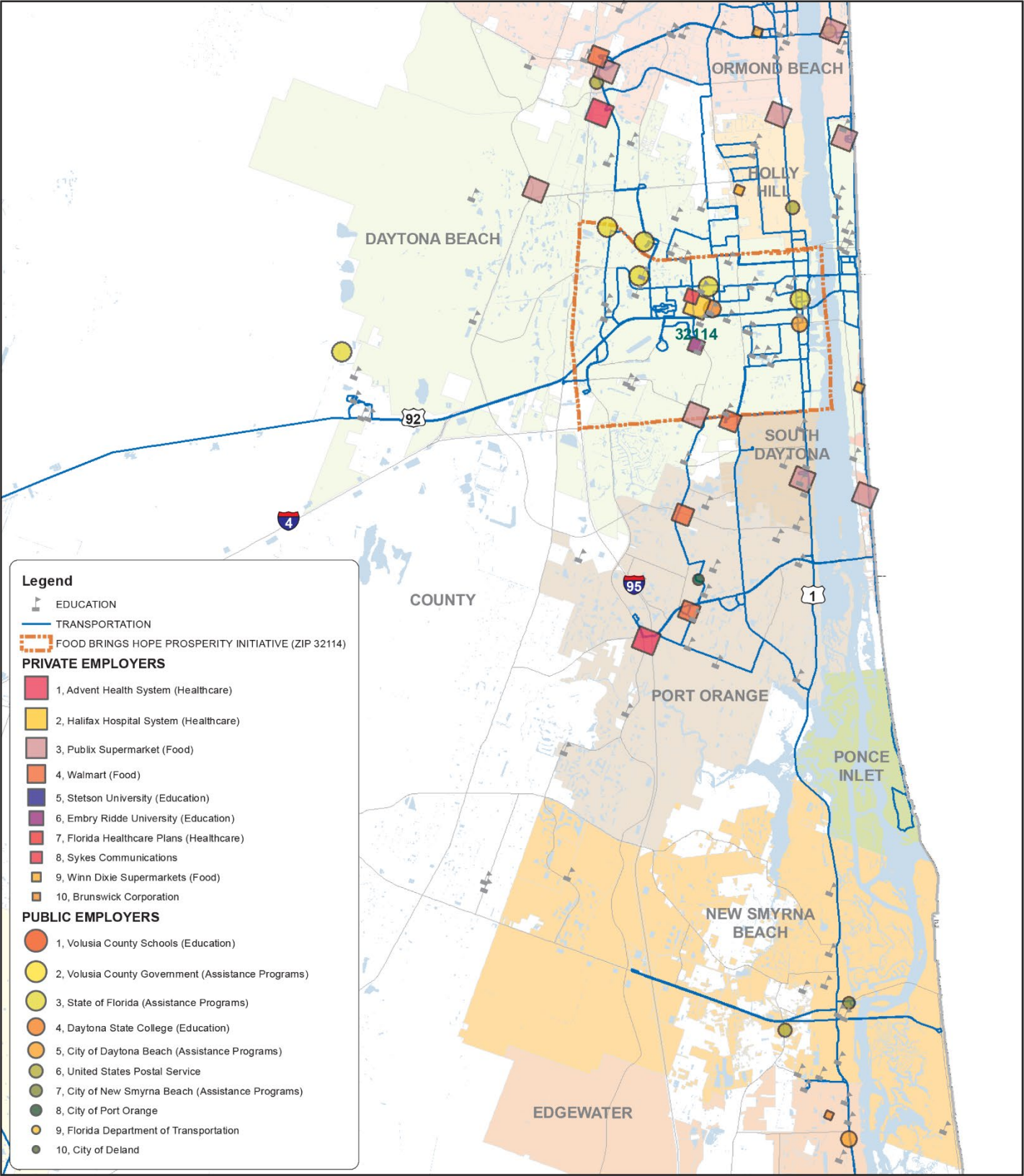
Customized map prepared by:  
Volusia County Growth & Resource Management - Mapping and Addressing



3/1/2022  
0 4 8 12 Miles  
Note: Due to variations in printer settings, this scale may not provide accurate measurements.



TARGETED AREA MAP FOR AFFORDABILITY PLANNING - EAST SIDE



**Disclaimer:**  
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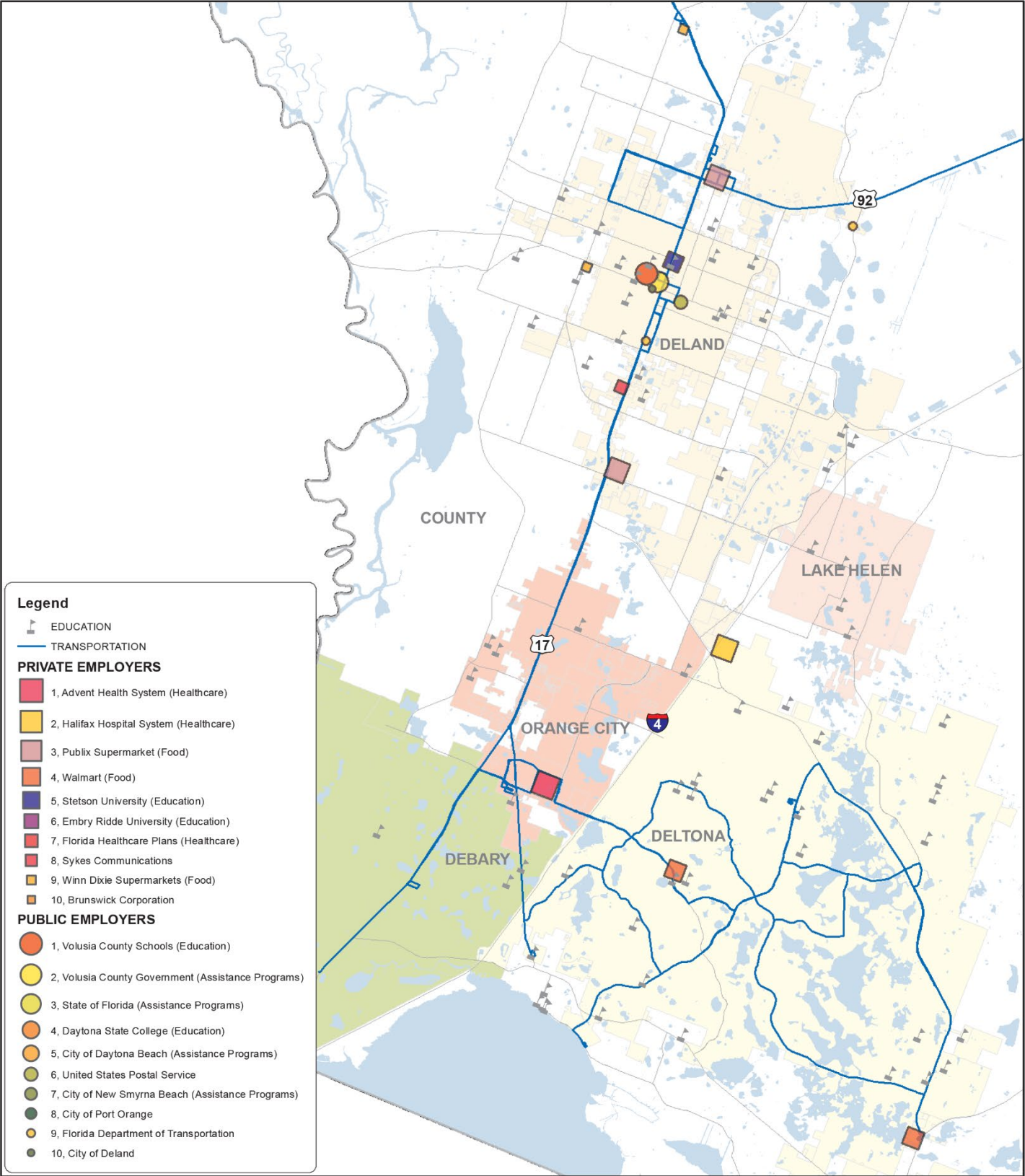
3/1/2022

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Note: Due to variations in printer settings, this scale may not provide accurate measurements.

Customized map prepared by:  
Volusia County Growth & Resource Management - Mapping and Addressing

TARGETED AREA MAP FOR AFFORDABILITY PLANNING - WEST SIDE



**Disclaimer:**  
This map is intended only to be a visual representation and should not be used for the making of accurate measurements, or for engineering purposes. The County of Volusia is not responsible for outcomes of decisions made on the basis of this map.



2/28/2022

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Note: Due to variations in printer settings, this scale may not provide accurate measurements.

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Volusia County Growth & Resource Management - Mapping and Addressing





## Affordable Housing Advisory Committee

September 13, 2023

Dear County Council,

The Affordable Housing Advisory Committee (AHAC) appreciates your consideration of the comprehensive plan revisions to assist developers in expediting and incentivizing affordable housing projects in Volusia County. The changes coming before the County Council have been reviewed and are supported by the committee. The comprehensive plan revisions will make implementation of several strategies identified by the AHAC in the Five-Year Affordable Housing Plan and the Affordable Housing Incentive Strategies Report possible.

When creating the Five-Year Affordable Housing Plan for Volusia County, the Land Development Regulation (LDR) affinity group worked to review zoning and land development regulations and processes to identify impediments to housing affordability. The affinity group consisted of developers, realtors, consultants, and non-profit organizations. During the final LDR affinity group meeting, the group voted unanimously that the changes brought forward for the housing element of the comprehensive plan would improve the county's regulatory processes for development of affordable housing.

Affordable housing has been an ongoing issue in Volusia County and the AHAC has worked for several years to identify strategies to make housing more attainable for residents of various income levels. These strategies are ineffective unless implemented which is why the committee urges the County Council to approve the item brought forth for review.

Recognizing that there isn't one solution for providing affordable workforce housing, the committee hopes that these comprehensive plan changes will be a step forward to provide more affordable housing opportunities for the citizens of Volusia County.

Sincerely,

Waylan Niece

Affordable Housing Advisory Committee Chair

## Affordable Housing Incentive Strategies Recommendations Summary Previously Adopted Strategies

**Mandatory affordable housing incentive strategies which were previously adopted and are included in the current LHAP**

Strategy description	Implementation Recommendations
<b>Strategy A:</b> The processing of approval of development orders or permits for affordable housing projects is expedited to a greater degree than other projects, as provided in s. 163.3177(6)(f)3.	<ul style="list-style-type: none"> <li>• Create a communication plan for “The Path Forward – Strategies for Success” Five-Year Plan.</li> <li>• Use an affordable housing review team to decrease the time and expense to build affordable housing.</li> </ul>
<b>Strategy I:</b> The establishment of a process by which a local government considers, before adoption, policies, procedures, ordinances, regulations, or plan provisions that increase the cost of housing.	<ul style="list-style-type: none"> <li>• Have options for fee waivers and deferrals and density bonuses for affordable housing projects.</li> <li>• Delineate the supports available to developers of affordable housing and the accompanying responsibilities and commitments expected.</li> <li>• Allow for reasonable administrative modifications to zoning requirements for affordable housing projects.</li> </ul>

**Optional affordable housing incentive strategies which were previously adopted and are included in the current LHAP**

Strategy description	Implementation Recommendations
<b>Strategy C:</b> The allowance of flexibility in densities for affordable housing.	<ul style="list-style-type: none"> <li>• Have options for fee waivers and deferrals and density bonuses for affordable housing projects.</li> <li>• Delineate the supports available to developers of affordable housing and the accompanying responsibilities and commitments expected.</li> <li>• Allow for reasonable administrative modifications to zoning requirements for affordable housing projects.</li> </ul>
<b>Strategy E:</b> The allowance of affordable accessory residential units in residential zoning districts.	<ul style="list-style-type: none"> <li>• Allow for reasonable administrative modifications to zoning requirements for affordable housing projects.</li> </ul>
<b>Strategy G:</b> The allowance of flexible lot configurations, including zero-lot-line configurations for affordable housing.	<ul style="list-style-type: none"> <li>• Allow for reasonable administrative modifications to zoning requirements for affordable housing projects.</li> </ul>
<b>Strategy J:</b> The preparation of a printed inventory of locally owned public lands suitable for affordable housing.	<ul style="list-style-type: none"> <li>• Evaluate proposals from organizations that will partner in the formation of a Community Land Trust.</li> </ul>



## Affordable Housing Incentive Strategies Recommendations Summary Strategies Not Previously Adopted

**Optional affordable housing incentive strategies with AHAC recommendations which are not included in the current LHAP**

Strategy description	Implementation Recommendations
<b>Strategy B:</b> All allowable fee waivers provided for the development or construction of affordable housing.	<ul style="list-style-type: none"> <li>• Have options for fee waivers and deferrals and density bonuses for affordable housing projects.</li> <li>• Delineate the supports available to developers of affordable housing and the accompanying responsibilities and commitments expected.</li> </ul>
<b>Strategy F:</b> The reduction of parking and setback requirements for affordable housing.	<ul style="list-style-type: none"> <li>• Allow for reasonable administrative modifications to zoning requirements for affordable housing projects.</li> </ul>
<b>Strategy K:</b> The support of development near transportation hubs and major employment centers and mixed-use developments.	<ul style="list-style-type: none"> <li>• Include an affordable housing zoning overlay in the comprehensive plan to encourage affordable housing development in identified areas of highest need.</li> </ul>

**Optional affordable housing incentive strategies which are not included in the current LHAP and have no recommendations from AHAC**

Strategy description	Implementation Recommendations
<b>Strategy D:</b> The reservation of infrastructure capacity for affordable housing.	<ul style="list-style-type: none"> <li>• No recommendations – no action</li> </ul>
<b>Strategy H:</b> The modification of street requirements for affordable housing.	<ul style="list-style-type: none"> <li>• No recommendations – no action</li> </ul>



# Draft 2023 Affordable Housing Incentive Strategies Report

**Prepared by:**

Affordable Housing Advisory Committee

**Prepared for:**

Volusia County Council

**Submitted to:**

Florida Housing Finance Corporation



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## Executive Summary

The Volusia County Affordable Housing Advisory Committee consists of nine members who were appointed by County Council in accordance with the requirements of local ordinance and the State Housing Initiatives Partnership program statute (SHIP Act). At a minimum, the AHAC is required to complete an evaluation every year of eleven affordable housing incentive strategies detailed in the SHIP Act. The annual review is to include the status of implementation of adopted strategies, and recommendations of the AHAC regarding the incentive strategies to the Volusia County Council. The report commences with the Executive Summary, followed by the full report. The full report contains the detailed listing of all the recommendations made by the 2023 AHAC for each strategy. Previously, six of the eleven strategies were recommended by the AHAC, adopted by County Council, and included in the most recent LHAP. This year's review resulted in recommendations for the six ongoing strategies and three additional strategies.

### **Incentive strategies required for continued SHIP funding**

The SHIP Act requires that two of the eleven incentive strategies detailed in the statute (Strategy (A) and (I)) must be adopted and incorporated into the SHIP jurisdiction's local housing assistance plan and must be implemented in order to continue to receive SHIP funding. County Council originally adopted Strategy (A) and (I) in 2009 and most recently on May 7, 2019.

**Strategy A: The processing of approvals of development orders or permits for affordable housing project is expedited to a greater degree than other projects, as provided in s. 163.3177(6)(f)3.**

- Two recommendations were made by the AHAC which focused on communication and drafting changes that will lead to an affordable housing review team.

**Strategy I: The establishment of a process by which a local government considers, before adoption, policies, procedures, ordinances, regulations, or plan provisions that increase the cost of housing.**

- Three recommendations were made by the AHAC that focused on a series of comprehensive plan changes and an affordable housing ordinance relating to fee waivers, deferrals, density bonuses, supports to developers, and administrative modifications to zoning requirements.

### **Additional Incentive Strategies**

In addition to the two required affordable housing incentive strategies, the SHIP Act includes nine incentive strategies that must be considered by the AHAC but are not required to be adopted by a SHIP jurisdiction. These strategies are grouped together as the “Additional Incentive Strategies” in the Executive Summary, and in the full report which follows the Executive Summary.

#### **Strategy B: All allowable fee waivers provided for the development or construction of affordable housing.**

- Two recommendations were made by AHAC involving changes to fee waivers, deferrals, density bonuses, and supports to developers.

#### **Strategy C: The allowance of flexibility in densities for affordable housing.**

- Three recommendations were made by the AHAC that focused on a series of comprehensive plan changes and an affordable housing ordinance relating to fee waivers, deferrals, density bonuses, supports to developers, and administrative modifications to zoning requirements.

#### **Strategy D: The reservation of infrastructure capacity for housing for very-low income persons, low-income persons, and moderate-income persons.**

- No recommendations were made.

#### **Strategy E: Affordable accessory residential units.**

- One recommendation was made by AHAC relating to allowing administrative modifications to zoning requirements.

#### **Strategy F: The reduction of parking and setback requirements for affordable housing.**

- One recommendation was made by AHAC relating to allowing administrative modifications to zoning requirements.

#### **Strategy G: The allowance of flexible lot configurations, including zero-lot-line configurations for affordable housing.**

- One recommendation was made by AHAC relating to allowing administrative modifications to zoning requirements.

#### **Strategy H: The modification of street requirements for affordable housing.**

- No recommendations were made.

**Strategy J: The preparation of a printed inventory of locally owned public lands suitable for affordable housing.**

- One recommendation was made to create a Community Land Trust.

**Strategy K: The support of development near transportation hubs and major employment centers and mixed-use developments.**

- One recommendation was made by AHAC relating to encouraging affordable housing development in identified geographic areas.

## Affordable Housing Advisory Committee Role and Composition

The Volusia County Affordable Housing Advisory Committee (AHAC) was created by ordinance adopted by the Volusia County Council on May 22, 2008. On June 19, 2008, the County Council appointed by resolution eleven (11) members to serve on the Committee (the 2008 AHAC). The 2008 AHAC held public meetings and reviewed current and proposed policies, ordinances, comprehensive plan provisions and other materials concerning the development of affordable housing in the county. On November 14, 2008, the AHAC held a public hearing to receive public comment and adopt recommendations for each of the affordable housing incentive strategies. A report was issued that includes current policies and further recommendations for each of the statutorily mandated incentive strategies.

The 2008 AHAC report was presented to the Volusia County Council for action, and on February 19, 2009, the council adopted two of the recommended strategies, Strategy A and I. In compliance with statutory requirements, the AHAC was reconstituted in 2012 and 2016 in order to complete the triennial evaluation and report to Florida Housing Finance Corporation and County Council on the affordable housing incentive strategies.

County Council approved amendments to the Volusia County ordinance on April 3, 2018 and December 15, 2020 in order to conform to changes made to the SHIP Act regarding the AHAC's required membership and composition. The AHAC must consist of nine members, one of which is a County Council member and eight others that represent at least six of the statutory membership categories as provided in Section 420.9076 (2). The County Council subsequently appointed one County Council member, six members that fit within six of the required categories, and two additional members to the 2023 AHAC as shown below:

<b>Committee Member</b>	<b>Representative Membership Category</b>
Anne B. Evans	Citizen who is actively engaged as a not-for-profit provider of affordable housing
Mark Billings	Citizen engaged in residential home building industry in connection with affordable housing
Waylan Niece	Citizen who is an advocate for low-income persons in connection with affordable housing
D.J. Lebo	Citizen who represents essential service personnel, as defined in the Volusia County local housing assistance plan
Susanne I.Odena	Citizen who is actively engaged as a real estate professional in connection with affordable housing
Sarah Ulrich	Other eligible applicant that does not fit other categories

<b>Committee Member</b>	<b>Representative Membership Category</b>
Josephine Callis	Other eligible applicant that does not fit other categories
Dwight Selby	Citizen who represents employers within the county
Jake Johansson	County Council Member

On April 12, 2023 an organizational meeting of the 2023 AHAC was held and Waylan Niece was elected to serve as the Chair, Anne Evans was elected to serve as the Vice-Chair, and D.J. Lebo was elected to serve as the Secretary. All meetings were conducted as public meetings. The meetings included presentations and discussions by Volusia County staff from the Growth and Resource Management (GRM) and Community Assistance Division (CAD) to provide information to the committee relative to incentives for affordable housing and the status of implementation.

On February 4, 2020, the duties of the Volusia County AHAC were expanded by a resolution approved by the County Council; therefore, the AHAC has had several meetings that did not relate specifically to the review of incentive strategies. Beginning on April 12, 2023, meetings focused on the statutory requirements of the AHAC to complete the annual evaluation of the incentive strategies. The review included analysis of the implementation by Volusia County of the previously adopted incentive strategies and the status of policies and processes that relate to the incentive strategies listed in s. 420.9076 (4) (a)-(k), F.S. Of the 11 incentive strategies that are to be considered by the AHAC, only two of the incentives are statutorily required to be included in Volusia County's local housing assistance plan (LHAP) as a condition of receiving SHIP funding. The two required incentive strategies are Strategy A, expedited review for affordable housing projects, and Strategy I, the process for regulatory review of decisions that impact housing cost.

A required notice was published in a newspaper and the AHAC held a public hearing on September 13, 2023, to receive public comment to the proposed recommendations. The AHAC report and recommendations will be submitted to the Florida Housing Finance Corporation and presented to the Volusia County Council for review and action at their regularly scheduled meeting on November 7, 2023 in the County Council Chambers, Thomas C. Kelly Administration Building, 123 W. Indiana Avenue, DeLand, Florida.



# Affordable Housing Incentive Strategies Review and Recommendations

From review, consideration, and evaluation of the strategies provided in the SHIP Act at Florida Statutes, Sec. 420.9076 (4), the AHAC makes the recommendations listed on the following pages. The SHIP Act requires that two of the eleven incentive strategies detailed in the statute must be adopted in the SHIP jurisdiction's local housing assistance plan and implemented in order to commence SHIP funding, and continue to receive SHIP funding, those two strategies are listed first with the remaining strategies listed subsequently in alphabetical order.

## **Expedited Permitting**

*Strategy A: The processing of approvals of development orders or permits for affordable housing projects is expedited to a greater degree than other projects, as provided in s. 163.3177(6)(f)3.*

### **Existing Strategy Status:**

- Strategy A is a required strategy that was previously adopted.
- The technical review process is the means by which all parties can gather together to discuss proposals.
  - The Community Assistance Division certifies potential affordable projects, and a multi-disciplinary technical staff review meeting is organized through the Land Development Office to provide written comments from engineering, environmental, building, fire, planning, zoning, and other county staff early in the process.
  - Each division provides information to the applicant in an in-person meeting where potential incentives and costs are discussed.

### **Recommendation 1:**

Create an environment supportive of new affordable housing development through effective communication and collaboration by developing and implementing a communication plan for “The Path Forward – Strategies for Success” Five-Year Plan to distribute in the community and shift the narrative and by developing and implementing a dashboard to report progress on a quarterly basis.

### **Recommendation 2:**

Implement comprehensive plan changes and an affordable housing ordinance to include an affordable housing review team to decrease the time and expense to build affordable housing.

### **Process of Ongoing Reviews**

*Strategy I: The establishment of a process by which a local government considers, before adoption, policies, procedures, ordinances, regulations, or plan provisions that increase the cost of housing.*

#### **Existing Strategy Status:**

- Strategy I is a required strategy that was previously adopted.
- The county considers the cost to implement new regulations for all new ordinances.
- The primary charge of the Development Review Committee (DRC) is to review and permit development. The committee considers waivers to development requirements, where appropriate. Section 72-501(b)(3)(c) states, “When in the judgement of the DRC, strict application of the requirements of this article would result in an inequitable or unreasonable result, stifle innovative or creative design, or create undue hardship when applied to a specific project or development, the DRC may modify such requirements to the extent necessary to achieve equity or reasonableness, or relieve the undue hardship...” This provision allows for the consideration of housing costs, and it allows the DRC to reasonably reduce costs by allowing flexibility in affordable housing developments.
- Changes to the impact fee schedule were approved by the County Council for 2023.

#### **Recommendation 1:**

Implement comprehensive plan changes including options for fee waivers and deferrals and density bonuses for affordable housing projects that meet qualifying criteria and, if applicable, agree to restrictive covenants.

#### **Recommendation 2:**

Implement an affordable housing ordinance and modifications to the comprehensive plan to clearly delineate the supports available to developers of affordable housing and the accompanying responsibilities and commitments expected.

#### **Recommendation 3:**

Implement comprehensive plan changes and affordable housing ordinance to allow for reasonable administrative modifications to zoning requirements for affordable housing projects.

### **Modification of Impact Fees**

*Strategy B: All allowable fee waivers provided for the development or construction of affordable housing.*

#### Existing Strategy Status:

- Strategy B has not been previously adopted.
- Per a 1991 ordinance, the County waives one unit per impact fee zone per year for Habitat for Humanity. These fees are paid by the Community Assistance Division.
- Comprehensive plan revisions that set the overall guidance for affordable housing development in unincorporated Volusia County were transmitted to the Department of Economic Opportunity on August 1, 2023. Upon adoption, an affordable housing ordinance will be presented to county council outlining recommendations for flexibility, density bonuses, impact fee deferrals, and fee waivers to reduce the cost of building affordable housing units.

#### ***Recommendation 1:***

Implement comprehensive plan changes including options for fee waivers and deferrals and density bonuses for affordable housing projects that meet qualifying criteria and, if applicable, agree to restrictive covenants.

#### ***Recommendation 2:***

Implement an affordable housing ordinance and modifications to the comprehensive plan to clearly delineate the supports available to developers of affordable housing and the accompanying responsibilities and commitments expected.

#### ***Flexible Densities***

*Strategy C: The allowance of flexibility in densities for affordable housing.*

#### Existing Strategy Status:

- Strategy C was previously adopted.
- To foster the creation of affordable housing, a density bonus is permitted for affordable housing projects through the Planned Unit Development process. The maximum increase in density per acre is five units for Low Impact Urban, eight for Urban Low Intensity, and 14 for Urban Medium Intensity.

### **Recommendation 1:**

Implement comprehensive plan changes including options for fee waivers and deferrals and density bonuses for affordable housing projects that meet qualifying criteria and, if applicable, agree to restrictive covenants.

### **Recommendation 2:**

Implement an affordable housing ordinance and modifications to the comprehensive plan to clearly delineate the supports available to developers of affordable housing and the accompanying responsibilities and commitments expected.

### **Recommendation 3:**

Implement comprehensive plan changes and affordable housing ordinance to allow for reasonable administrative modifications to zoning requirements for affordable housing projects.

### **Reservation of Infrastructure Capacity**

*Strategy D: The reservation of infrastructure capacity for housing for very-low income persons, low-income persons, and moderate-income persons.*

#### **Existing Strategy Status:**

- Strategy D has not been previously adopted.
- The AHAC did not make any recommendations on Strategy D in the last report, no action has been taken by County Council.

***The AHAC did not make any recommendations regarding this incentive strategy.***

### **Affordable Accessory Residential Units**

*Strategy E: Affordable accessory residential units.*

#### **Existing Strategy Status:**

- Strategy E was previously adopted.
- The Volusia County Council approved an ordinance for accessory dwelling units on July 20, 2021.
  - The ordinance allows one accessory dwelling unit (ADU) between 240 and 1,200 square feet per parcel where a principal structure is present.
    - The maximum of 1,200 square feet was removed for parcels that are an acre or greater in an ordinance approved in 2023.
  - The ADU does require one parking space, but it eliminates the need for a garage structure.

### ***Recommendation 1:***

Implement comprehensive plan changes and affordable housing ordinance to allow for reasonable administrative modifications to zoning requirements for affordable housing projects.

### **Parking and Setback Requirements**

*Strategy F: The reduction of parking and setback requirements for affordable housing.*

#### **Existing Strategy Status:**

- Strategy F was not previously adopted.
- Affordable housing projects are reviewed through the DRC process which may approve modifications to lot sizes, lot widths, house sizes, setbacks, parking requirements, lot coverage, height requirements, open space, landscaping, and any other development standards in Chapter 72 Land Planning by up to 40 percent for certified affordable housing projects, unless governed by the state or federal law.
- Comprehensive plan revisions that set the overall guidance for affordable housing development in unincorporated Volusia County were transmitted to the Department of Economic Opportunity on August 1, 2023. Upon adoption, an affordable housing ordinance will be presented to county council outlining recommendations for flexibility, density bonuses, impact fee deferrals, and fee waivers to reduce the cost of building affordable housing units.

### ***Recommendation 1:***

Implement comprehensive plan changes and affordable housing ordinance to allow for reasonable administrative modifications to zoning requirements for affordable housing projects.

### **Flexible Lot Configurations**

*Strategy G: The allowance of flexible lot configurations, including zero-lot-line configurations for affordable housing.*

#### **Existing Strategy Status:**

- Strategy G was previously adopted.
- The DRC may approve modifications to lot sizes, lot widths, house sizes, setbacks, parking requirements, lot coverage, height requirements, open space, landscaping, and any other development standards in Chapter 72 Land Planning by up to 40 percent for certified affordable housing projects, unless governed by the state or federal law
- Nonconforming dwelling units may be replaced in the same footprint.

- If the dwelling unit cannot be replaced size for size, it must meet the current zoning code requirements.
- The variance process is in place to help those applicants who cannot meet the minimum dimensional requirements of the zoning code.

### ***Recommendation 1:***

Implement comprehensive plan changes and affordable housing ordinance to allow for reasonable administrative modifications to zoning requirements for affordable housing projects.

### ***Modification of Street Requirements***

*Strategy H: The modification of street requirements for affordable housing.*

#### **Existing Strategy Status:**

- Strategy H has not been previously adopted.
- The Development Review Committee would be the venue to consider allowing a waiver to the current code requirements for on-street parking based on recommendations from the fire official, the county traffic engineer, and the public works department.

***The AHAC did not make any recommendations regarding this incentive strategy.***

### ***Public Land Inventory***

*Strategy J: The preparation of a printed inventory of locally owned public lands suitable for affordable housing.*

#### **Existing Strategy Status:**

- Strategy J was previously adopted.
- The Planning and Development Services Division has a full-time position that is used to manage surplus county lands.
- The surplus property list is regularly reviewed by the Community Assistance team to determine which parcels may be suitable for affordable housing. Proposed parcels are brought before Volusia County Council for review to be added to the list of county-owned parcels suitable for affordable housing. This process is done as frequently as needed, no less than every three years as required by state statute.
- Once a list is established, parcels are evaluated for the best use for affordable housing, including the uses described below which all include an affordability period in which the property will be restricted for this use.

- Building affordable housing using grant funding. The land and units can be donated to a non-profit organization or sold to low-income households. Nine new single-family homes have been built in the last five years using this method.
- Donating to a non-profit organization to use for affordable housing.
- Making available to affordable housing developers to use for affordable housing.
- A competitive solicitation for a Community Land Trust (CLT) to operate in Volusia County was issued and an evaluation and proposed award is underway. If awarded, the CLT would be an eligible non-profit organization for land parcel donations.
- As required by the Live Local Act, the established inventory list will be published on the county's website on or before October 1, 2023.

**Recommendation 1:**

Evaluate proposals received from a competitive solicitation, seeking proposals from organizations that will partner with the county in the formation of a Community Land Trust in Volusia County and make an award.

**Support Development Near Transportation**

*Strategy K: The support of development near transportation hubs and major employment centers and mixed-use developments.*

**Existing Strategy Status:**

- Strategy K has not been previously adopted.
- Comprehensive plan revisions that set the overall guidance for affordable housing development in unincorporated Volusia County were transmitted to the Department of Economic Opportunity on August 1, 2023. Upon adoption, an affordable housing ordinance will be presented to county council outlining recommendations for flexibility, density bonuses, impact fee deferrals, and fee waivers to reduce the cost of building affordable housing units. The county anticipates the creation of an affordable housing zoning overlay which targets areas near public transportation, employment centers, shopping, and schools for the construction of affordable housing units as part of the ordinance. The plan revisions are expected to be completed in 2023, followed by the zoning ordinance in 2024, and the overlay in 2024 or 2025.

**Recommendation 1:**

Determine the areas of highest need for affordable housing to plan for future modifications to the comprehensive plan to include an affordable housing zoning overlay to encourage affordable housing development in identified geographic areas.



## **Agenda**

### **Volusia County Affordable Housing Advisory Committee**

**TBD**

**The Dennis R. McGee Room**

**700 Catalina Drive, Daytona Beach, 32114**

#### **Committees**

Volusia County AHAC

Daytona Beach AHAC

Deltona AHAC

#### **City Staff**

Yolanda Presley, City of Daytona Beach

Angelia Briggs, City of Deltona

#### **County Staff**

Carmen Hall, Community Assistance Director

Corry Brown, Operations Manager

Maureen Sikora, Assistant County Attorney

Brittany Louis, Housing and Grants Manager

Camila Vega, Special Projects Coordinator

#### **Call to Order**

#### **Roll Call**

#### **Public Participation**

Public participation is encouraged on matters on the agenda. If you desire to be recognized by the chair, please fill out a request form. Public comment on issues on the agenda or public participation shall be limited to three minutes.

#### **Item 1 – Update from each AHAC Chair**

Each AHAC Chair will provide an update of their committee's affordable housing priorities.

#### **Item 2 – 5-Year Affordable Housing Plan Update**

Staff will present an update on The Path Forward – Strategies for Success for discussion by the committees.

#### **Item 3 – AHAC Task Force**

The AHACs will have a discussion about a proposed task force.

#### **Discussion by board members of matters not on the agenda**

#### **Items for staff discussion**

#### **Adjournment**



## **NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT (TITLE II)**

*In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990 ("ADA"), the County of Volusia ("County") will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities. Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a program, service, or activity of County, should contact the office of the County's ADA Title II Coordinator, Jim Corbett, at (386) 248-1760 as soon as possible but no later than 2 business days before the scheduled event or meeting. This paragraph shall likewise apply to written requests by a physically handicapped person needing a special accommodation to attend a public meeting in accordance with section 286.26, Florida Statutes.*

*A copy of the County's Notice under the Americans with Disabilities Act (Title II) can be obtained at <http://www.volusia.org/ada> or requested from the County's ADA Title II Coordinator at the telephone number listed above.*

## **NOTICE UNDER SECTION 286.0105, FLORIDA STATUTES**

*If a person decides to appeal a decision made by the Affordable Housing Advisory Committee with respect to any matter considered at such meeting or hearing, he/she will need a record of the proceedings including all testimony and evidence upon which the appeal is to be based. To that end, such person will want to ensure that a verbatim record of the proceedings is made.*

## FY 2023/24 AHAC Meeting Schedule

Month	Date	Time	Location	Activity (additional topics to be added as needed)
January	1/10/2024	3:00 p.m.	Emergency Operations Center 3825 Tiger Bay Rd, Daytona Beach	-Affordable Housing Plan status review
April	4/10/2024	3:00 p.m.	Volusia County Historic Courthouse 2nd Floor Training Room 125 W. New York Ave DeLand, FL 32720	-Elect Officers -Overview of local housing incentive strategies report process, requirements, and timeline -Annual Action Plan discussion and recommendations
June	6/12/2024	3:00 p.m.	Emergency Operations Center 3825 Tiger Bay Rd, Daytona Beach	-Local housing incentive strategies review -Annual review of the Affordable Housing Plan
September	9/11/2024	5:00 p.m.	Volusia County Council Chambers 123 W. Indiana Avenue, DeLand	-Local housing incentive strategies report public hearing

\*Meeting dates/times subject to change. The committee may add additional meetings as deemed necessary.